

RECEIVED

NOV 29 1976

AFFIDAVIT OF PUBLICATION

State of Idaho,

ss.

Department of Water Resources
Northern District Office

County of Bonner,

Pete Thompson being first duly sworn on
oath deposes and says that he is publisher
of the Sandpoint Daily Bee, a daily news-
paper printed and published at Sandpoint,
in Bonner County, Idaho; that the said
Daily Bee has been continuously and un-
interruptedly published in said Bonner
County during a period of 12 months prior
to the first publication of the hereto at-
tached notice of publication in the case
of Water Permit

96-7487

as it was published in the regular and en-
tire issue of the said paper for a period
of 2 consecutive weeks, commencing
on the 17 day of Nov, 1976
and ending on the 27 day of Nov, 1976 and that said notice was
published in said newspaper and not in
supplemental form.

Pete Thompson

Subscribed and sworn to before me this

26 day of Nov, 1976.

Odell M. Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
Raymond H. Libby, Route 3,
Box 78, Sandpoint, Idaho has on
November 9, 1976 submitted
Application No. 96-7487 for a
permit to appropriate 0.06 cubic
feet per second of water from
Little Sand Creek, tributary of
Big Sand Creek by means of
spring box and pipeline within
the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22 T. 59N,
R1W, B.M. Bonner County to be
used from Jan. 1 to Dec. 31 for
domestic (0.04 cfs) and stock-
watering purposes (0.02 cfs)
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22,
T59N, R.1W, 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 December 6,
1976.

R. KEITH HIGGINSON

Director

Published in the Sandpoint
Daily Bee, Sandpoint, Idaho on
Nov. 17 and Nov. 24, 1976.

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 _____

15. Recommended Amendments

- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

16. Examiner's/Consultant's Signature [Signature] Date 6/21/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

MEMORIALIZED

CONSULTANT SEAL

MAR 26 1990



96-7487

MICROFILMED
MAR 26 1995

1W 59N
58 1E

58N
1E

1W 58N
57 1E

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-07487

Priority: November 9, 1976

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:¹

1.4 AF

This is to certify, that RAYMOND H. LIBBY
2618 SAMUELS RD.
SAMUELS, ID 83862

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 9, 1976; and
has submitted Proof of Beneficial Use on October 11, 1983. An examination indicates
that the works have a diversion capacity of .040 cfs of water from:

LITTLE SAND CREEK

tributary to PACK RIVER

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>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.04 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 22, Township 59N, Range 01W
BONNER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

59N 01W 22 SWSE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

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. Stockwater use is for 4 head; domestic use is for 1 home.

MICROFILMED

MAR 26 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-07487

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 20th
day of MARCH, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

MAR 25 1990

For Office Use Only	
Fee Received	15 ⁰⁰
Date	12-4-81
Receipt #	21618

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

NOV 19 1981
Department of Water Resources

Raymond H. Libby of RT. 1 BX. 14AA Samuels
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 96-7487.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before JANUARY 1, 19 82.

That he has heretofore performed the following work described under said permit: a concrete cistern built that will contain approximately 4300 gallons of water, instead of the required 5000 gallons due to an error in digging the hole by the backhoe operator. A 7'x7' instead of an 8'x8' metal form had to be used. Costing \$ 1500
(This must be filled out! If no work has been completed put none.)

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:
We are unable to finance the cost of an additional cistern at this time. I am presently attending Graduate school and will be returning to Samuels in May 1982. Our address presently is #3 Purdue Circle, Little Rock, AR 72204

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to January 1, 19 87.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Raymond H. Libby
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to January 1, 1987.

Signed 10th day of December, 19 81.

RECEIVED

L. Glen Saxton
Chief, Operations Bureau

K Libby
#3 Purdue Circle
Little Rock
AR 72204

State of Idaho
Department of Water Resources
Statehouse
Boise
ID 83720



MICROFILMED

Identification No. 96-7487

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 Raymond H. Libby Phone: 263-7290
post office address Route 3, Box 78, Sandpoint, Idaho 83864
2. Source of water supply Little Sand Creek which is a tributary of Pack River
~~Big Sand Creek~~
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22 Township 59N
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 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater 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)
5. Total quantity to be appropriated:
a. 0.06 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Spring box and 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: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22 Township 59N
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 9 goats
~~4 beef cattle~~

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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. None

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

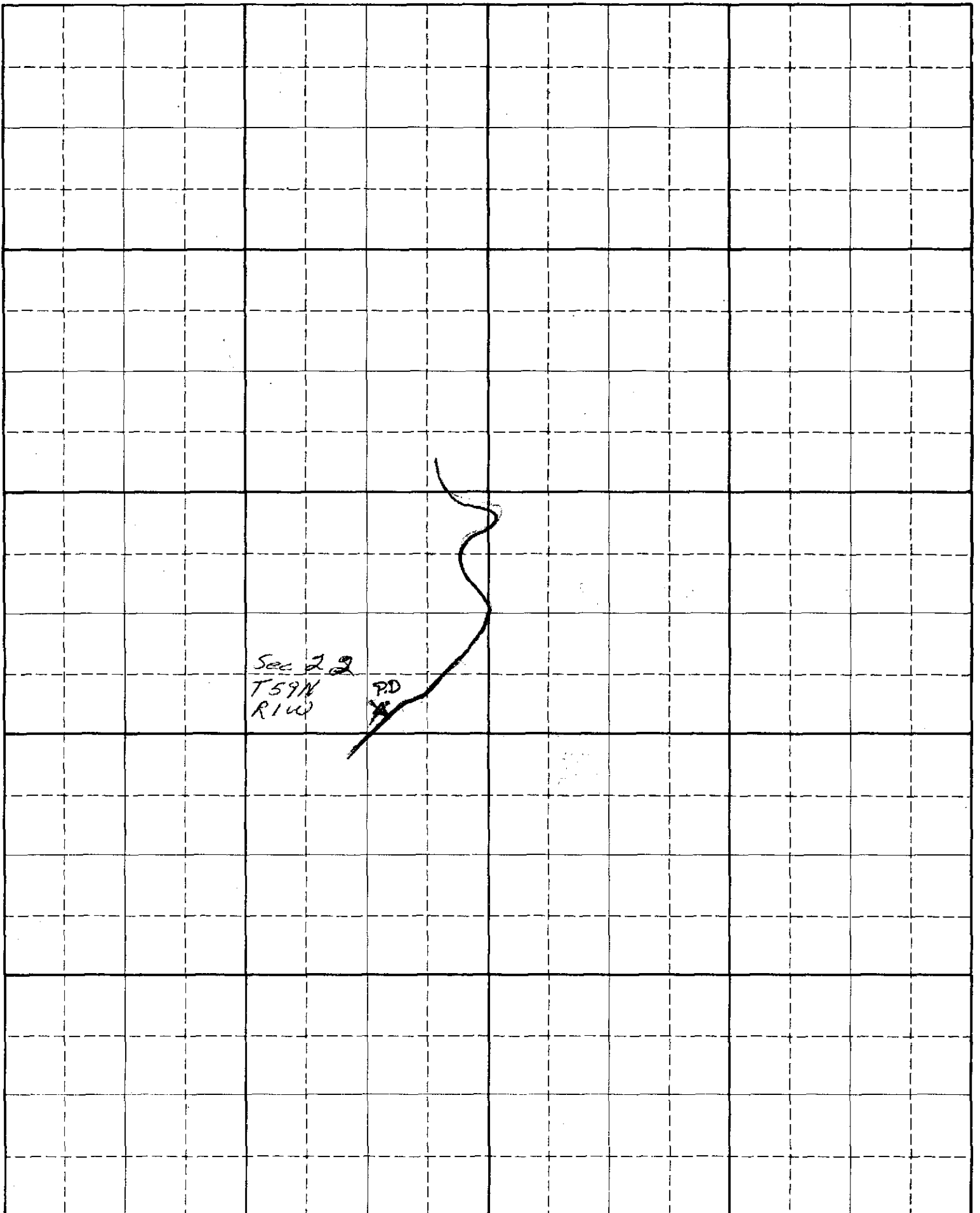
b. Who owns the land to be irrigated or place of use Applicant

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 _____

Parcels # 26 & 27 in S.W. 1/4 of Sec 22 59-1W
(16 acres)

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.

Raymond V. Lipby
(Applicant)

Proposed Priority 11-09-76
CP 11-9-76 11:30 A.M.
Received by CP Date 11/8/76 Time 10:30
Preliminary check by RGH Fee \$ 10.00
Received by CP Date 11-9-76 (Rec. #4841)
Publication prepared by CP Date 11-12-76
Published in Sandpoint Daily Bee
Publication dates 11-17 & 11-24-76
Publication approved CP Date 12-1-76
Priority reduced to _____ Reason _____

Protests filed by: _____

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

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. 96-7487, 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 January 1, 19 82.
- c. Other: A storage facility of at least 5,000 gallon capacity shall be installed as a part of the delivery system.

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

Witness my hand this 31 day of January 19 77.


Director

RECEIVED

NOV 22 1976

AFFIDAVIT OF PUBLICATION

State of Idaho,

ss.

Department of Water Resources
Northern District Office

County of Bonner,

Pete Thompson being first duly sworn on
oath deposes and says that he is publisher
of the Sandpoint Daily Bee, a daily news-
paper printed and published at Sandpoint,
in Bonner County, Idaho; that the said
Daily Bee has been continuously and un-
interruptedly published in said Bonner
County during a period of 12 months prior
to the first publication of the hereto at-
tached notice of publication in the case
of Water Permit

96-7487

as it was published in the regular and en-
tire issue of the said paper for a period
of 2 consecutive weeks, commencing
on the 17 day of Nov, 1976
and ending on the 27 day of Nov, 1976 and that said notice was
published in said newspaper and not in
supplemental form.

Pete Thompson

Subscribed and sworn to before me this

26 day of Nov, 1976.

Adell M. Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
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Box 78, Sandpoint, Idaho has on
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permit to appropriate 0.06 cubic
feet per second of water from
Little Sand Creek, tributary of
Big Sand Creek by means of
spring box and pipeline within
the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22 T. 59N,
R1W, B.M. Bonner County to be
used from Jan. 1 to Dec. 31 for
domestic (0.04 cfs) and stock-
watering purposes (0.02 cfs)
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22,
T59N, R.1W, 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 December 6,
1976.

R. KEITH HIGGINSON

Director

Published in the Sandpoint
Daily Bee, Sandpoint, Idaho on
Nov. 17 and Nov. 24, 1976.

March 20, 1990

RAYMOND H. LIBBY
2618 SAMUELS RD.
SAMUELS, ID 83862

RE: PERMIT NO. 96-07487

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

UNRECORDED
MAR 25 1990

February 23, 1990

RAYMOND H. LIBBY
2618 SAMUELS RD.
SAMUELS, ID 83862

RE: PERMIT NO. 96-07487

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

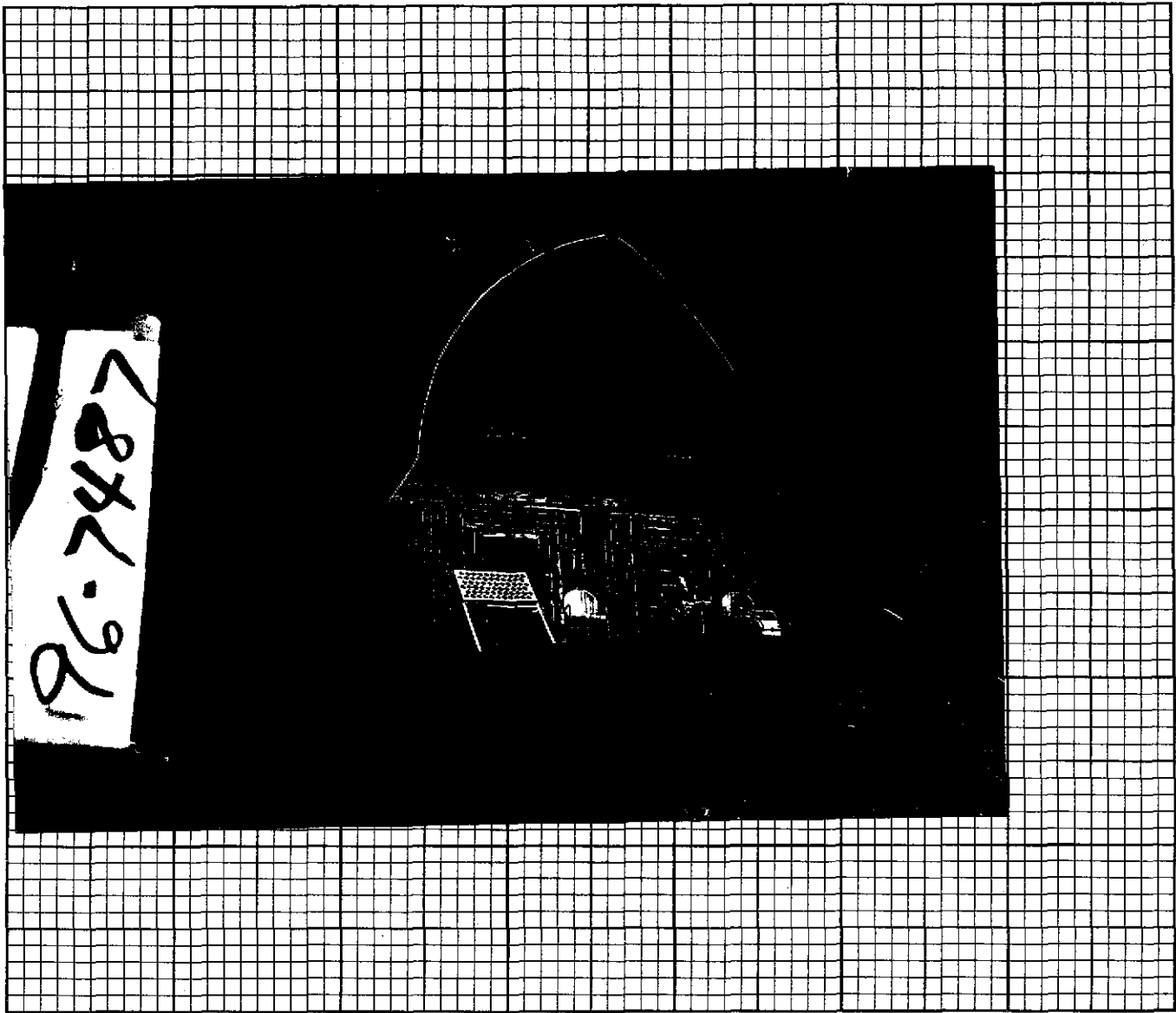
Enclosure

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MAR 26 1990

[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 _____
15. Recommended Amendments
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |
16. Examiner's/Consultant's Signature Jed King Date 6/21/85
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date

MicroFILMED

MAR 26 1990

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

AUG 2 1985

96-7487
Permit No.

Department of Water Resources

1. Measurement Calculations

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

one home 0.04
4 STOCK 0.02

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

one home 1.2
4 STOCK 0.2

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

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	96-7487		0.00			

4. Permit Holder: Raymond H. LIBBY
 Address: 2618 Samuels Rd. Samuels, ID 83864

5. Source: Little Sand Cr. tributary to Pack R.

3. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>STOCK</u>	<u>1-1</u> <u>12-31</u>	<u>0.02</u>	<u>0.2</u>
<u>Dam (1)</u>	<u>1-1</u> <u>12-31</u>	<u>0.04</u>	<u>1.2</u>
Allowable Maximums:		<u>0.06</u>	<u>1.4</u>

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			SW	SE	22	59N	1W	Benner

3. 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	
59N	1W	22															X		
Total Acres _____																			

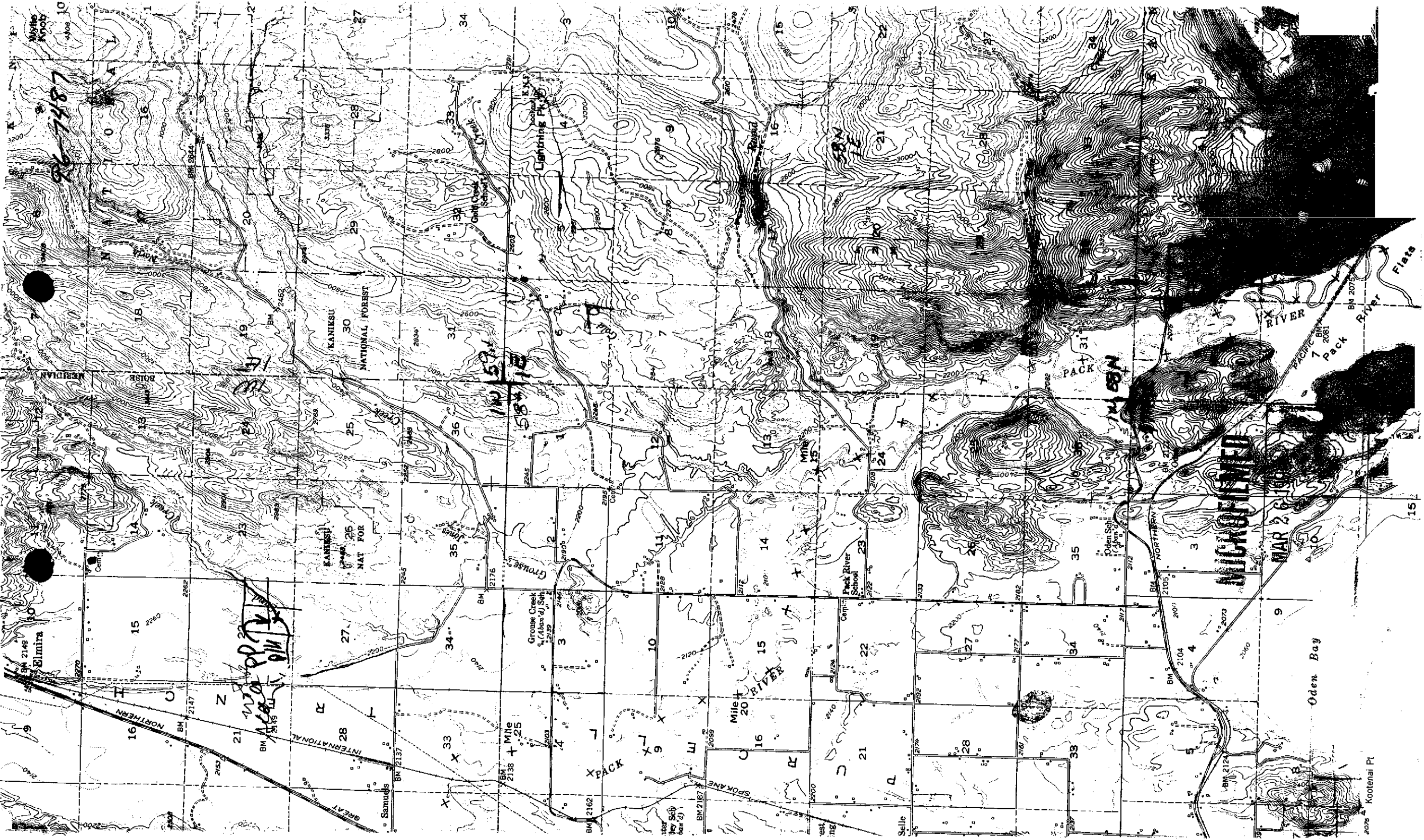
9. Recommended Conditions/Remarks: _____

0. 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 _____

1. Examiner's Signature [Signature] Date 7/26/85
 Checked in Regional Office by Bob Hayes Date 7/29/85
 Approved in State Office by _____ Date _____

MICROFILMED
 MAR 26 1990



Raymond H. Libby
18 Samuels Rd.
Samuels, ID 83864
September 28, 1984

State of Idaho
Department of Water Resources
Northern Region
4055 Government Way
Coeur d' Alene, ID 83814

Dear Sir;

On December 5, 1983 we received a letter from you concerning RE permit # 96-7487 acknowledging receipt of submitted proof of beneficial use for our water permit. The letter stated that before a license can be issued a field examination must be made by a representative of your department and that a field examiner will contact us and arrange a time to examine our system.

No one has ever contacted us to set up a field examination. We would like to obtain our water right and hope we will hear from you soon to set up a time . Thank you.

Sincerely,

Raymond H. Libby
Raymond H. Libby

MICROFILMED

MAR 26 1990

RECEIVED

OCT 1 1984

Department of Water Resources
Northern District Office

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

DECEMBER 5, 1983

RAYMOND H. LIBBY
2618 SAMUELS RD.
SAMUELS ID 83862

RE: Permit No. 96-7487

Dear Permit Holder:

We acknowledge receipt of your statement 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.

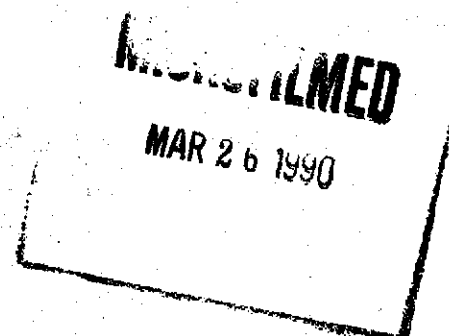
A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 96-7487
Name(s) of Permit Holder(s): Raymond H Libby
Post Office Address: Rt 1 Box 14 AA
Samuels ID 83862 Tel. (208) 263-0707

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on June 3, 1983 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

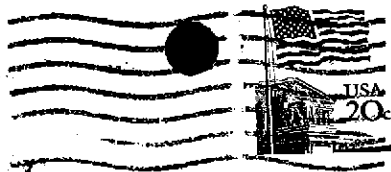
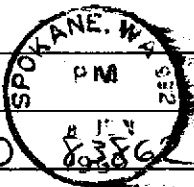
June 6, 1983
Date

Ray H Libby
Signature of Permit Holder

R.H. L...

Rt. 1 Bx 14AA

Samuels, ID



MICROFILMED

MAR 26 1990



JUN 26 1985

**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

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. 96-7487.

Name(s) of Permit Holder: Raymond H. Libby

Post Office Address: 2618 Samuels Rd Samuels, Id. 83864

Tel. No. 263-0707

Source of Water: Sandpoint Creek

Extent of Use:

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

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

Access Point: 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.

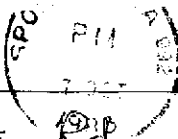
9-29-83

Date

Ray Libby

Signature of Permit Holder

R H Libb
2618 Samuels Rd
Samuels ID 83864



NOV 11 1983



OCT 11 1983
DEPT. OF WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

December 16, 1981

Raymond H. Libby
Route 1, Box 14AA
Samuels, ID 83862

Dear Mr. Libby:

Re: Permit No. 96-7487

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to January 1, 1987.

Also enclosed is receipt No. 21618 in the amount of \$15.00.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

November 4, 1981

RE: Permit No. 96-7487

Raymond H. Libby
#3 Purdue Circle
Little Rock, AZ 72204

Dear Mr. Libby:

Thank you for responding to our October 31, 1981 letter. Enclosed is a request for extension of time in which to submit proof to beneficial use under Permit No. 96-7487. Please be sure to fill in all of the questions and submit the \$15.00 filing fee.

If I can be of further assistance, please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED

Jim Johnson
Water Distribution Supervisor
Dept. of Water Resources.

Raymond H. Libby
#3 Purdue Circle
Little Rock, AR 72204
RE Permit No. 96-7487

Dear Sir,

Due to contractors construction error
our holding tank was not developed to
the required 5000 gallons for water permit #
96-7487. I am requesting an exten-
sion of time to allow us to comply with
our agreement. We have not been able
to afford the cost of constructing another
tank and please note our address
until June '82 is #3 Purdue Circle,
Little Rock, Arkansas 72204. I am
attending graduate school and will
be returning home to Samuels in the
Spring.

Thank you for your attention,

Ray Libby **RECEIVED**

NOV 1 1981

Department of Water Resources

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

LIBBY, RAYMOND H.
RT. 3 BOX 78
SANDPOINT, ID 83864

135814

OCTOBER 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 96-7487 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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 POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Tom King

TO File

SUBJECT 96-7487

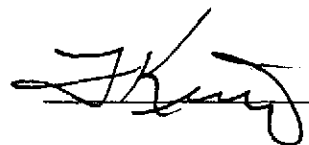
DATE 8/5/80

Upon the request of Mr. Libby, I inspected the storage tank required on 96-7487 and found the interior dimensions of the tank to be:

$$6.33' \times 6.33' \times 14' = \frac{561 \text{ ft.}^3}{7.48 \text{ gal.}} = 4199.99 \text{ gallons}$$

ft.³

When I informed Mr. Libby, he asked what I thought he should do. I suggested a 4000-gallon steel storage tank in series below the existing storage structure.

 SIGNATURE

RECORDED

August 12, 1980

Ray Libby
Rt. 1, Box 14AA
Samuels, Idaho 83862

Dear Mr. Libby,

RE: Permit No. 96-7487

In answer to your letter of August 5, 1980, I find that your water permit does not require you to have the development done until January 1, 1982.

I would not request an extension until the Department sends a notice of proof due, which will be sent about 60 days prior to January 1, 1982. The correspondence that you will receive at that time will inform you of your options.

I hope this has answered all your questions. If not please call me at 334-4162.

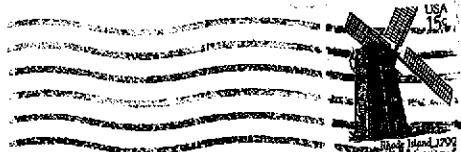
Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

MICROFILMED

R. H. L. by
Rt. 1 Bx 14 A4
Samuels
Id 83862



MICROFILMED

State of Idaho
Dept of Water Resources
Statehouse
Boise.
Id 83720

RECEIVED

AUG 8 1980

Department of Water Resources

August 5, 1980

Ray
Rt. 1, Box 144A
Ximulco
Od 83862

Dear Sir:

We have recently sold our
reservoirs need to hold 800 gallons
more water for us to receive our
water rights. The contractor
erred when digging the well.
We would like to have an
estimation on the date which
the system needs to be completed
so that we may build an
additional holding tank.
Please let us know if this
is possible. Thank you.

RECEIVED

Sincerely,

Ray + Camille Kelly

Identification no. 96-7487

February 2, 1977

Re: Permit No. 96-7487

Raymond H. Libby
Route 3, Box 78
Sandpoint, ID 83864

Dear Mr. Libby:

Enclosed is a copy of your approved Application for Permit No. 96-7487. 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

RECEIVED
FEB 10 1977
FBI

In The Matter of Application for }
Permit No 96-7487 in the }
Name of Raymond H. Libby }

Protest Withdrawal
& Agreement

I, Leonard Brackebusch, hereby withdraw my protest against application no 96-7487 if the applicant agrees to install a storage facility of 5,000 gallons to provide the applicant with water during the dry season.

Signed at Sandpoint, Idaho this 25th day of January 1977

Leonard A. Brackebusch

I, Raymond H. Libby hereby agree to install a storage facility of 5,000 gallons as a part of my diversion system.

Signed at Sandpoint, Idaho this 25th day of January 1977

Raymond H. Libby

ENCLOSURE

96-7487 - Raymond H. Libby
Community Hall, Sandpoint, Idaho
January 25, 1977 - 2:30 p.m.

ROSTER OF ATTENDANCE

<u>Name</u>	<u>Address</u>	<u>Representing</u>
-------------	----------------	---------------------

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval)
of Application for Permit No. 96-7487 in)
the name of RAYMOND H. LIBBY)

NOTICE OF CONFERENCE
AND/OR HEARING

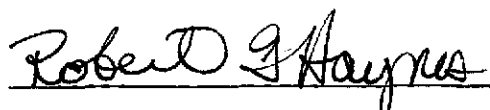
On November 8, 1976, Raymond H. Libby filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On December 3, 1976, the Department received a protest against approval of said application from Leonard Brackebusch.

The Department has set the matter of protest for conference and/or hearing for Tuesday, January 25, 1977, at 2:30 p.m., in the Community Hall, Sandpoint, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 10 day of January, 1977.



ROBERT G. HAYNES
District Supervisor



CONVERSATION MEMORANDUM

DATE January 24, 1977FILE 96-7487NAME OF PARTY Leonard Brachebusch and Raymond LibbyEMPLOYEE Corda M. Patterson

RE: Leonard Brackebusch called the office and requested that the hearing scheduled for January 25, 1977, at 2:30 p.m., be delayed until 3:00. Mr. Brackebusch stated that he must attend a funeral at 2:00 and wanted enough time to attend the hearing also. No problems were foreseen with this change.

I telephoned Raymond Libby about the above change, and he agreed to delay the hearing until 3:00 p.m.

Corda M. Patterson

RECEIVED
JAN 25 1977
FBI - NEW YORK

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 96-7487

Libbey

☒ 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) RSH 11-9-76

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

(4) RSH 11-9-76

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) CP 12/1

Affidavit of Publication received(date) Nov. 29, 1976

(12) CP 11/12

Final date for protests DECEMBER 6, 1976

Protests received: yes ☒ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

Proposed Priority 11-8-76

Reason for Reduction _____

Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Bozeman

By SB Haynes

Date 1-26-77

storage facility of at least 5,000 gallon capacity
shall be installed as a part of the delivery
system.

RECEIVED

96-7487

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **RESTRICTED DELIVERY.**
 Show to whom and date delivered..... 65¢
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery 85¢

2. **ARTICLE ADDRESSED TO:**

Mr. Leonard Brackebusch
 Route 1, Box 5
 Samuels, ID 83862

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	12596	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent


DATE OF DELIVERY

JAN 11 1977

5. **ADDRESS** (Complete only if requested)6. **UNABLE TO DELIVER BECAUSE:**CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

RECEIVED



**RETURN
TO**



JAN 12 1977

Department of Water Resources
Northern District Office

IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT OFFICE

ROUTE 5, BOX 203, SUITE #1

COEUR D' ALENE, ID 83814

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). ☐ Show to whom and date delivered..... 15¢ ☐ Show to whom, date, & address of delivery.. 35¢ ☐ RESTRICTED DELIVERY. ☐ Show to whom and date delivered..... 65¢ ☐ RESTRICTED DELIVERY. ☐ Show to whom, date, and address of delivery 85¢	
2. ARTICLE ADDRESSED TO: Mr. Raymond H. Libby Route 3, Box 78 Sandpoint, ID 83864	
3. ARTICLE DESCRIPTION: REGISTERED NO. _____ CERTIFIED NO. 12595 INSURED NO. _____	(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent <i>Carroll Libby</i>
4. ADDRESS (Complete only if requested) DATE OF DELIVERY 1-12-77	5. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS <i>2/2</i>

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



**IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1
COEUR D' ALENE, ID 83814**

RECEIVED
JAN 13 1977
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



JAN 13 1977

**Department of Water Resources
Northern District Office**

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

NAME AND ADDRESS OF SENDER

DEPT. OF WATER RESOURCES - Northern Region

Indicate type of mail

☐ INSURED

☐ C. O. D.

☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

NOTICE OF HEARING

POSTMARK AND DATE OF RECEIPT January 10, 1977

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE	REMARKS
1	12595 Raymond H. Libby, Rt. 3, Box 78, Sandpoint, Idaho	13¢	60¢			25¢				96-7487
2	12596 Leonard Brackebusch, Rt. 1, Box 5, Samuels, Idaho	"	"			"				"
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										

RAYDEN LAKE
 IDAHO
 JAN 10 1977
 U.S. POST OFFICE

TOTAL NUMBER OF PIECES LISTED BY SENDER	TWO (2)	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)	
---	------------	--	--	--	--

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid—This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

PS Form 3877-A—July 1958

January 10, 1977

City of Sandpoint
City Hall
Sandpoint, ID 83864

Gentlemen:

This is to confirm the use of the Community Hall for conference and/or hearing to be held by this office on Tuesday, January 25, 1977, at 2:30 p.m.

Thank you for your assistance in this matter.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

RECEIVED

December 7, 1976

Re: Application for Permit No. 96-7487 - Raymond H. Libby

Mr. Leonard A. Brackebusch
Route 1, Box 5
Samuels, ID 83862

Dear Mr. Brackebusch:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the application, approve the application for a quantity of water less than applied for, or approve the application subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

Page 2

Re: 96-7487

Mr. Leonard A. Brackebusch

December 7, 1976

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of any further assistance, feel free to contact us.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

bcc: IDWR - Boise

December 7, 1976

Re: Application for Permit No. 96-7487

Mr. Raymond H. Libby
Route 3, Box 78
Sandpoint, ID 83864

Dear Mr. Libby:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your application. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory

RECEIVED
DEC 10 1976
SANDPOINT, IDAHO

Page 2

Re: 96-7487

Mr. Raymond H. Libby

December 7, 1976

at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any further assistance, feel free to contact us.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosure

bcc: IDWR - Boise

December 3, 1976

RECEIVED

DEC 3 1976

Department of Water Resources
Northern District Office

Idaho Department of Water Resources
Northern Region
4055 Government Way
Coeur d'Alene, ID 83814

Gentlemen:

I would like to protest the issuance of a permit pursuant to Application No. 96-7487 filed by Raymond H. Libby.

There is not sufficient water in the creek to supply additional purposes during the months of July and August; and additional appropriation from the creek would injure my water rights.

My rights are recorded with your Department under the numbers of 96-2274 and 96-7100.

Very truly yours,

Leonard A. Brackebusch

LEONARD BRACKEBUSCH

Route 1, Box 5
Samuels, Idaho

RECEIVED



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

November 12, 1976

Re: Application No. 96-7486 - Frank Gatchell
" " 96-7487 - Raymond H. Libby

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: 12-7-76-2

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Raymond H. Libby,
Route 3, Box 78, Sandpoint, Idaho
has on November 9, 1976 submitted Application No. 96-7487
for a permit to appropriate 0.06 cubic feet per second ~~XXXXXX~~
of water from Little Sand Creek, tributary of Big Sand Creek
by means of spring box and pipeline
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 59N, R. 1W, B.M., Bonner County
to be used from Jan. 1 to Dec. 31
for domestic (0.04 cfs) and stockwatering purposes (0.02 cfs)
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 59N, R. 1W, 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 December 6, 1976.

R. KEITH HIGGINSON
Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho
on Nov. 17 and Nov. 24, 1976

RECORDED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Raymond H. Libby, Route 3, Box 78, Sandpoint, Idaho has on November 9, 1976 submitted Application No. 96-7487 for a permit to appropriate 0.06 cubic feet per second of water from Little Sand Creek, tributary of Big Sand Creek by means of spring box and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22 T. 59N, R1W, B.M. Bonner County to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and stock-watering purposes (0.02 cfs) within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T59N, R.1W, 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 December 6, 1976.

R. KEITH HIGGINSON
Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho on Nov. 17 and Nov. 24, 1976.

O.K.
11-23-76
P

RECEIVED

November 12, 1976

Re: Application for Permit No. 96-7487

Mr. Raymond H. Libby
Route 3, Box 78
Sandpoint, ID 83864

Dear Mr. Libby:

Attached is your receipt No. 4841 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

RECEIVED