

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Marie Martin,

being duly sworn, says that she is the Co-Publisher of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least seven columns each, printed from typematter or stereotyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

Notice of Application for Water Permit

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 14th day of August, 1975, and

ending on the 21st day of August, 1975, and that said notice was published in said newspaper proper, and not in supplemental form.

Marie Martin

Subscribed and sworn to before me this

21st day of August, 1975.

George C Connolly
Notary Public for Idaho,

Residing at Priest River, Idaho.

RECEIVED

AUG 22 1975

Department of Water Resources
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that John Roberts, Route 1, Box 613, Priest River, Idaho has on Aug. 7, 1975 submitted Application No. 96-7396 for a permit to appropriate 0.04 cubic feet per second of water from a ground water source by means of pump and pipeline within Gov't. Lot 1, Sec. 25, T. 56N, R. 5W, B.M., Bonner County (Lots 11 through 19, Block 4, Springdale Gardens) to be used from Jan. 1 to Dec. 31 for domestic purposes. within Gov't. Lot 1, Sec. 25, T. 56N, R. 5W, 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 Sept. 1, 1975.

R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Aug 14 and Aug. 21, 1975.

33-2t

MICROFILMED

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R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Aug. 14 and Aug. 21, 1975.

33-21

O.K.
9-12-75
d

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7396 Priority August 7, 1975 Amount 0.04 cfs

THIS IS TO CERTIFY, that JOHN ROBERTS
of Priest River, Idaho, has complied with the terms and conditions of Permit
No. 96-7396 issued pursuant to Application for Permit dated August 7, 1975,
and has submitted proof to the Department of Water Resources on September 29, 1976,
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 a ground water source,
tributary to _____, 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
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 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 Gov't. Lot 1 of
Sec. 25, Twp. 56 N, Rge. 5 W, B. M. in the County of Bonner

Description and location of place of use: (Block 4, Lots 11-19, Springdale Gardens)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56 N	5 W	25																	

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 11 day of
December, 19 76.

Director

Identification No. 96-7396

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 JOHN ROBERTS Phone: _____
post office address RT 1 BOX 613, PRIEST RIVER, ID

2. Source of water supply GROUNDWATER which is a tributary of _____
Gov Lot 1

3. a. Location of point of diversion is _____ 1/4 of _____ 1/4 of Section 25 Township 56N
Range 5W B.M. BONNER County; additional points of diversion if any: _____
BLOCK 4, LOTS 11-19 SPRINGDALE GARDENS

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 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. _____ cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. SUBMERSIBLE PUMP
WITH 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.

c. Proposed well diameter is 6 inches; proposed depth of well is 201 feet.
(Mo. Day) (Mo. Day)

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 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: Gov Lot 1 1/4 of _____ 1/4 of Section 25 Township 56N
Range 5W 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 ONE.

(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	

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 "

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 _____

PEND OREILLE RIVER
25
25
T-56N
R-5W

John Roberts
(Applicant)

Proposed Priority 8-07-1975

Received by KK Date 8/2/75 Time 1:30 P
Preliminary check by KK Fee \$ 10.00
Received by KK Date 8/7/75 # 985
Publication prepared by CP Date 8-8-75
Published in Priest River Times
Publication dates 8-14 & 8-21-75
Publication approved CP Date 8-25-75
Priority reduced to _____ Reason _____

Protests filed by: _____

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

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. 96-7396, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1976.
- c. Other: _____

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

Witness my hand this 4 day of September, 19 75.


Director

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County of Bonner,

ss.

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Northern District Office

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R. KEENE HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Aug 14 and Aug. 21, 1975.

33-2t

NOTARIAL SEAL

December 14, 1976

C
Re: Permit No. 96-7396

O
John Roberts
Rt. 1, Box 613
Priest River, ID 83856

P
Dear Mr. Roberts:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Y
Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

RECEIVED
DEC 15 1976

MICROFILMED

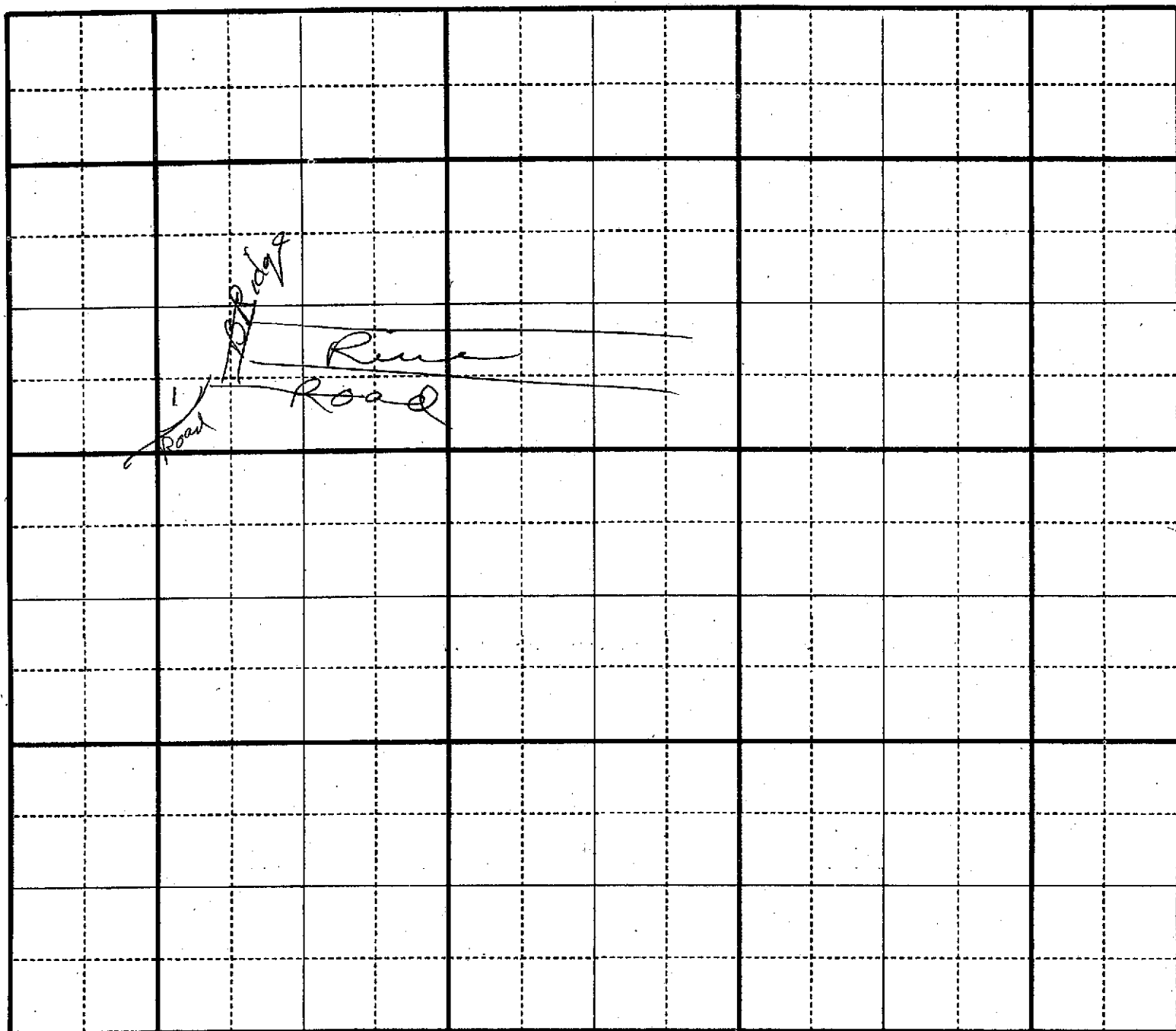


Diagram of System

DATE OF EXAM _____

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 Jan 1 to Dec 31

Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____

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

County _____

Exchange? yes _____ no X

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 0.04 Method of measurement calc.

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

Total V recommended 1.2

Recommended Amendments:

P.D. NE SW sec 25 T56NR5W *Will not require amendment - according to Gov. P. plate on*

Place of Use NE SW sec 25 T56NR5W *microfilm - could be either*

Other _____ *description! see 12-7-76*

None _____

MEASUREMENT CALCULATION:

On household @ 0.04 cfs @ 1.2 AF/Ann

SYSTEM DESCRIPTION:

6" well, 3/4 hp submersible pump w/ pipeline to place of use

REMARKS:

Examiner's Signature Tom D King Date 11-29-76

Checked by Bob Haynes Date 11-30-76

Approved by _____ Date _____

September 30, 1976

Re: Permit No. 96-7396

John C. Roberts
Box 614
Priest River, Idaho 83856

Dear Mr. Roberts:

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 District Office in Coeur d'Alene.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

Identification No. 96-7396

Permit No. 96-7396

RECEIVED

SEP 29 1976 OKJ

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder John C. Roberts
 b) Post Office Address P.O. Box 613 Priest River, Idaho - 83856
 2. Permit Number 96-7396
 3. Date of Priority that you are prepared to establish 9/25/1976
 4. a) Source from which water was appropriated Groundwater (well)
 b) Location of the point of diversion: cont. lot 1 $\frac{1}{4}$, Section 25
 Township 56N, Range 5W Boise Meridian, Other points of diversion: Banner County
Block 4, Lots 11-19 Springdale Gardens

5. a) The amount of water and use to which the water has been applied:
 Amount 6.04 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 _____ 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: 4 to 6 Gal. Per. Min. - Aqua Drilling

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) 3/4 H.P. Submersible pump - 6" well casing (steel)
201' Depth.

b) Describe the type and size of measuring device which you have installed at your point of diversion: 42 Gal. Holding Tank

c) Give well driller's name and address and the date the well was completed: Aqua Drilling + Development Inc. - P.O. Box 1002 Coeur D'Alene, Idaho 83814 - 11/2/1973 completed

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

Domestic + Garden Use.

Exam. typed 9/30/76 by [signature]

MICROFILMED

July 30, 1976

CERTIFIED MAIL

138866

Re: Permit No. 96-7396

John Roberts
Route 1, Box 613
Priest River, Idaho 83856

Dear Mr. Roberts:

One of the conditions of approval of your water Permit No. 96-7396 (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 October 1, 1976. 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED

September 5, 1975

Re: Permit No. 96-7396

John Roberts
Route 1, Box 613
Priest River, ID 83856

Dear Mr. Roberts:

Enclosed is a copy of your approved Application for Permit No. 96-7396 We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 96-7396

☒ 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) SE 8/7/75

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) SE 8/7/75

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) SE 9/3/75

Critical groundwater area: yes ☒ no _____

(8) SE 9/3/75

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) SE 9/3/75

Other rights on the same place of use None

(10) _____

Comments: _____

(11) CP 8/25

Affidavit of Publication received(date) Aug. 22, 1975

(12) CP 8/8

Final date for protests SEPT. 1, 1975
Protests received: yes _____ no ☒

(13) SE 9/3/75

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

(14) SE 9/3/75

Action recommended:

☒ Approve

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Deny

8/7/75 Proposed Priority SEP 4 1975

Reason for Reduction Department of Water Resources

NO Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Snake

By [Signature] Date 9/3/75

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Route 5, Box 203
Suite #1
4055 Government Way

Room 209
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 8, 1975

Re: Application No. 96-7391 - Hoodoo Valley Ranch
" " 96-7396 John Roberts

Priest River Times
P.O. Box 398
Priest River, ID 83856

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

RECEIVED

BILL: 8-25-75.4

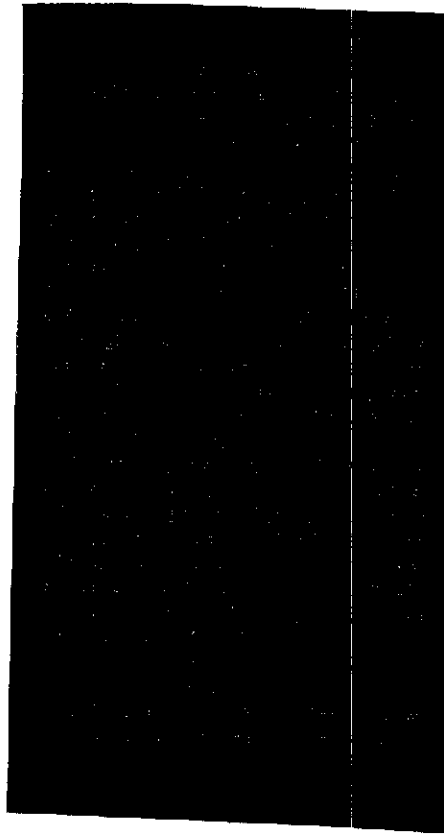
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o.k.
9-15-75
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FEB 11 1976
FBI - NEW YORK