

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that John H. Smith, General Delivery, Spirit Lake, Idaho has on Nov. 15, 1974 submitted Application No. 96-7348 for a permit to appropriate 0.06 cubic feet per second of water from a ground water source by means of well, pump, and motor within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 54N, R. 4W, 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 NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 54N, R. 4W, 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, 401 Front Avenue, Coeur d'Alene, Idaho, 83814 on or before Dec. 9, 1974.

R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Nov. 21 and Nov. 28, 1974.

47-21

O.K.
11-19-74
CP

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7348 Priority Nov. 15, 1974 Amount 0.06 cfs

THIS IS TO CERTIFY, that JOHN H. SMITH
of Spirit Lake, Idaho, has complied with the terms and conditions of Permit
No. 96-7348 issued pursuant to Application for Permit dated November 15, 1974,
and has submitted proof to the Department of Water Resources on November 14, 1975,
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 0.06 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 acre feet</u>			
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and <u>0.2 acre feet</u>			
from _____ to _____ at _____ cfs and _____			
(both dates inclusive)			

Subject, however, to the condition that no more than 0.06 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
1.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 29,
Twp. 54 N, Rge. 4 W, B.M. in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
54 N	4 W	29					X												

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 24 day of
February, 19 76.

Director

Identification No. 96-7348

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 0.06 SEC. FT.
LICENSE PAGE NO. _____

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

1. Name of applicant John H. Smith Phone: 772-3074
post office address General Delivery, Spirit Lake, Idaho
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 54N
Range 4W 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 1 $\frac{1}{4}$
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. 8" well, 358' deep, with pump and motor. Test pumped at 50 gallons per minute,

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 8 inches; proposed depth of well is 358 feet.
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: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 54N
Range 4W 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 2 horses, 1 cow

(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

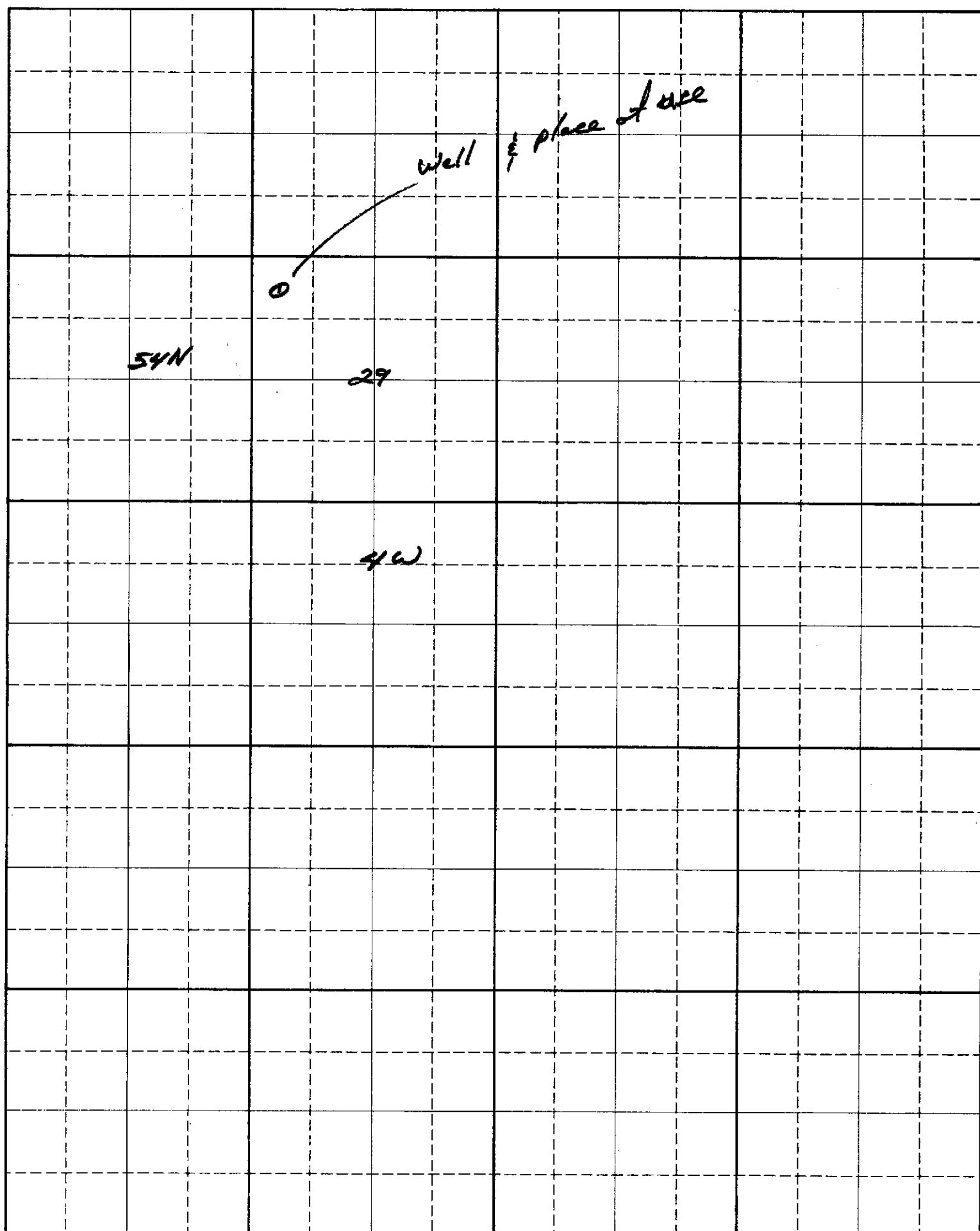
9. a. Who owns the property at the point of diversion Applicant

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 _____

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.

* John H. Smith
(Applicant)

Proposed Priority 11-15-1974

Received by FB Date 11/15/74 Time 11:30 a
Preliminary check by FB Fee \$ 10.00
Receipted by FB Date 11/15/74 # 15138
Publication prepared by cp Date 11-15-74
Published in Priest River Times
Publication dates 11-21 & 11-28-74
Publication approved cp Date 12-9-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by in 30F

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. 96-7348, 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 76.
- c. Other: _____

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

Witness my hand this 24 day of December 19 74.

R. Keith Higgins
Director

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 21st day of November, 1974, and

ending on the 28th day of November, 1974, and that said notice was published in said newspaper proper, and not in supplemental form.

Marie Martin

Subscribed and sworn to before me this

2nd day of December, 1974.

Notary Public for Idaho,
Residing at Priest River, Idaho.

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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, 401 Front Avenue, Coeur d'Alene, Idaho, 83814 on or before Dec. 9, 1974.

R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Nov. 21 and Nov. 28, 1974.

47-2t

MICROFILMED

February 25, 1976

Re: Permit No. 96-7348

Mr. John H. Smith
Box 426
Spirit Lake, ID 83869

Dear Mr. Smith:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

RECEIVED

NOV 24 1975

Post office address _____ Box 426, Spirit Lake, ID

Department of Water Resources
Northern District Office

Person to contact _____ Phone _____

3. Water will be used for the following purposes:

Other uses: _____

Permit No. 96-7348
Examination for b/u

Max Rate of Diversion 0.06 cubic feet per second and annual volume _____ AF/Annum.

Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____ 1/4 _____ 1/4 _____
County_____

Other Points of Diversions: _____

Description of diverting works: 8", 358' well, 5 hp pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

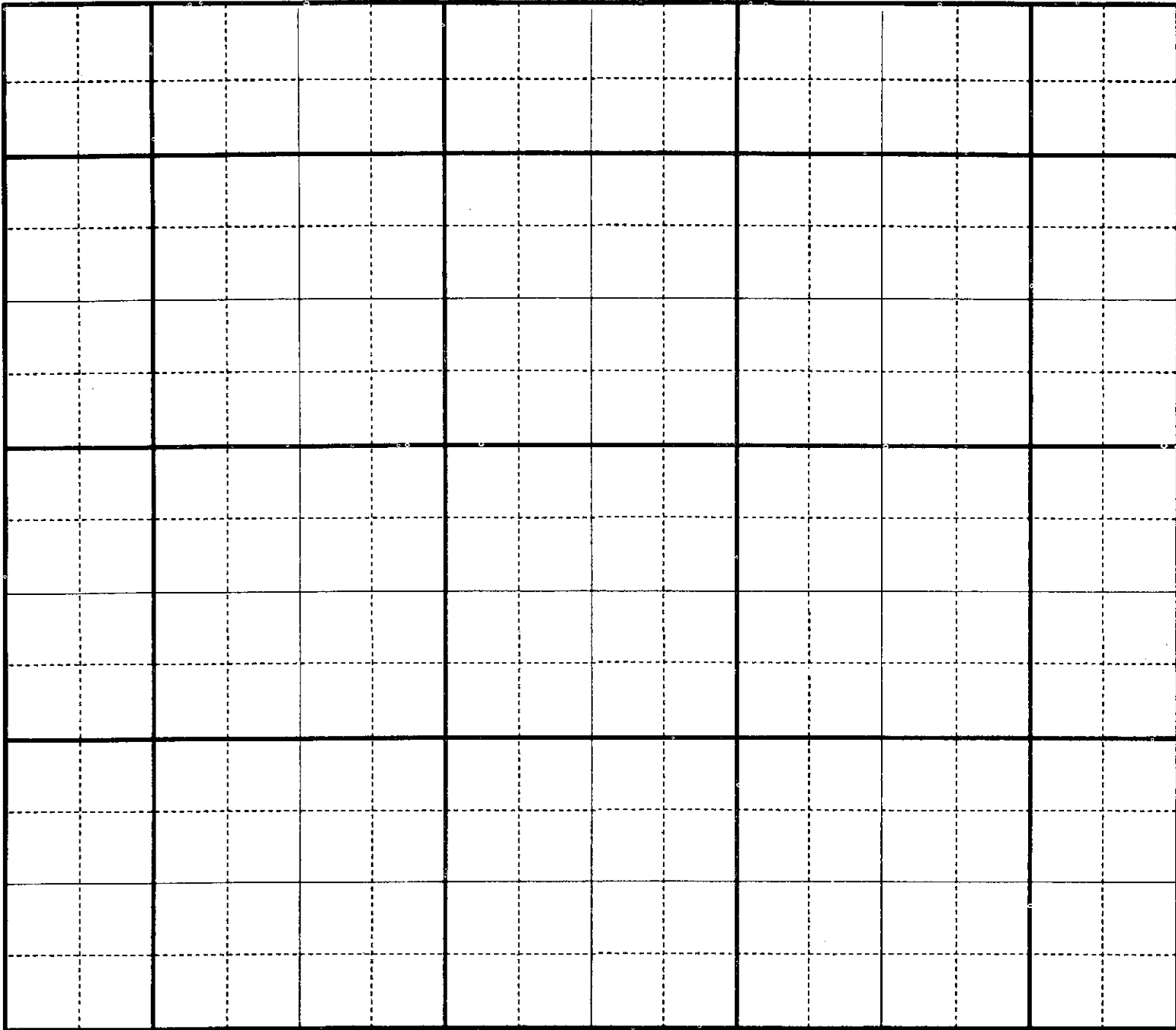


Diagram of System

DATE OF EXAM 1-27-76

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .04 c.f.s. V= 1.2 TK AF/Ann. from 1-1 to 12-31
Livestock Q= .02 c.f.s. V= .2 TK AF/Ann. from 1-1 to 12-31

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 .06 Method of measurement Est.

Total Q recommended .06 Meter No. _____ Type _____ Condition _____

Total V recommended TK 1.4

Recommended Amendments:

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

MEASUREMENT CALCULATION:

4 hd stk = .02 cfs / TK .2 AF/Ann
1 H/H = .04 cfs / 1.2 AF/Ann

SYSTEM DESCRIPTION:

358' App TK
8" well 358' app. TK
TK
TK
2- 82 gal. Pressure tanks

REMARKS:

Examiner's Signature Jan D King Date 1-29-76

Checked by Robert D Haynes Date 2-20-76

Approved by _____ Date _____

November 18, 1975

Re: permit No. 96-7348

John H. Smith
Box 426
Spirit Lake, Idaho 83869

Dear Mr. Smith:

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



RECEIVED

NOV 14 1975

OK y

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 96-7348

Department of Water Resources
Northern District Office

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder John F. Smith 623-2022
b) Post Office Address P.O. Box 426 Spritlake Lake
2. Permit Number 96-7348
3. Date of Priority that you are prepared to establish 11-19-74
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 29
Township 54N, Range 4W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .04 for Domestic purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 02 for Stockwater purposes from 1-1 to 12-31 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)
b) Total amount appropriated .06 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: _____
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: NA
b) Describe the agreement or understanding by which you take water from the works: NA
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) 8" inch 358 ft well 5hp pump
b) Describe the type and size of measuring device which you have installed at your point of diversion: NA
c) Give well driller's name and address and the date the well was completed: Aqua Drilling
Nov 22 1974
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

11-17-75 ja

11-17-75

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	
54N	4W	29					X												

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.

11-14-75 (Date) John R. Smith (Signature)

State of Idaho)
County of Kootenai) ss.

On this 14 day of November, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert S. Haynes
Notary Public residing at CD A

My commission expires 11-20-78

- **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:

DEFINITION

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	138066	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent

John Z. Smith

4. DATE OF DELIVERY

11/3/75

POSTMARK

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 reverse side.
- Moisten gummed ends and attach to back of article.

RETURN
TO



DEPARTMENT OF Waterways
100-100-100
100-100-100
100-100-100



October 31, 1975

CERTIFIED MAIL

#138066

Re: Permit No. 96-7348

John H. Smith
General Delivery
Spirit Lake, Idaho 83869

Dear Mr. Smith:

One of the conditions of approval of your water Permit No. 96-7348 (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 January 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

December 27, 1974

Re: Permit No. 96-7348

Mr. John H. Smith
General Delivery
Spirit Lake, Idaho 83869

Dear Mr. Smith:

Enclosed is a copy of your approved Application for Permit No. 96-7348. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 96-7348

☒ 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) FE 11/15/74

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) FE 11/15/74

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) FE 11/9/74

Critical groundwater area: yes _____ no ☒

(8) FE 12/9/74

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) CP 12/9

Affidavit of Publication received(date) DEC. 3, 1974

(12) CP 11/15

Final date for protests DECEMBER 9, 1974
Protests received: yes _____ no ☒

(13) FE 12/9/74

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

(14) FE 12/9/74

Action recommended:

☒ Approve _____ Deny

11/15/74 Proposed Priority

_____ Reason for Reduction _____

No Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for Department of Water Resources

(15) District North

By [Signature] Date 12/9/74

MICROFILMED

RECEIVED
DEC 18



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

November 15, 1974

Re: Application No. 96-7347 - Elmer S. &/or Patricia L. Tillotson
" " 96-7348 - John H. Smith

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)

Bill Submitted 12-9-74 by cp

MICROFILMED

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General Delivery, Spirit Lake, Idaho

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for a permit to appropriate 0.06 cubic feet per second ~~acre feet per annum~~
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within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 54N, R. 4W, B.M., Bonner County

to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and stockwatering
~~for~~ purposes (0.02 cfs)

within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 54N, R. 4W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Dec. 9, 1974.

R. KEITH HIGGINSON

Director

Published in the Priest River Times, Priest River, Idaho

on Nov. 21 and Nov. 28, 1974

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If issued, ~~the~~ permit will be subject to ~~a~~ prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 401 Front Avenue, Coeur d'Alene, Idaho, 83814 on or before Dec. 9, 1974.

R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Nov. 21 and Nov. 28, 1974.

47-24

O.K.
11-19-74
P