

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 28th day of March, 1974, and ending on the 4th day of April, 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

4th day of April, 1974

George O. Connolly
Notary Public for Idaho,

Residing at Priest River, Idaho.

RECEIVED

APR 5 1974

Department of Water Administration
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Helen H. L. Rogstad, Route 1, Colfax, Washington has on March 18, 1974 submitted Application No. 96-7266 for a permit to appropriate 0.2 cubic feet per second of water from Unnamed Springs by means of developed springs, reservoir, pump, motor, and pipelines within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 10, T. 54N., R. 5W, B.M., Bonner County to be used from Jan. 1 to Dec. 31 for domestic purposes for 14 families (0.06 cfs); and from March 15 to Nov. 15 for the irrigation of 8 acres (0.14 cfs) within the SW $\frac{1}{4}$ (domestic), Gov't. Lot 3 (irrigation), Sec. 10, T. 54N, 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 Administration, 401 Front Avenue, Coeur d'Alene, Idaho, 83814 on or before April 15, 1974.

R. KEITH HIGGINSON,
Director.

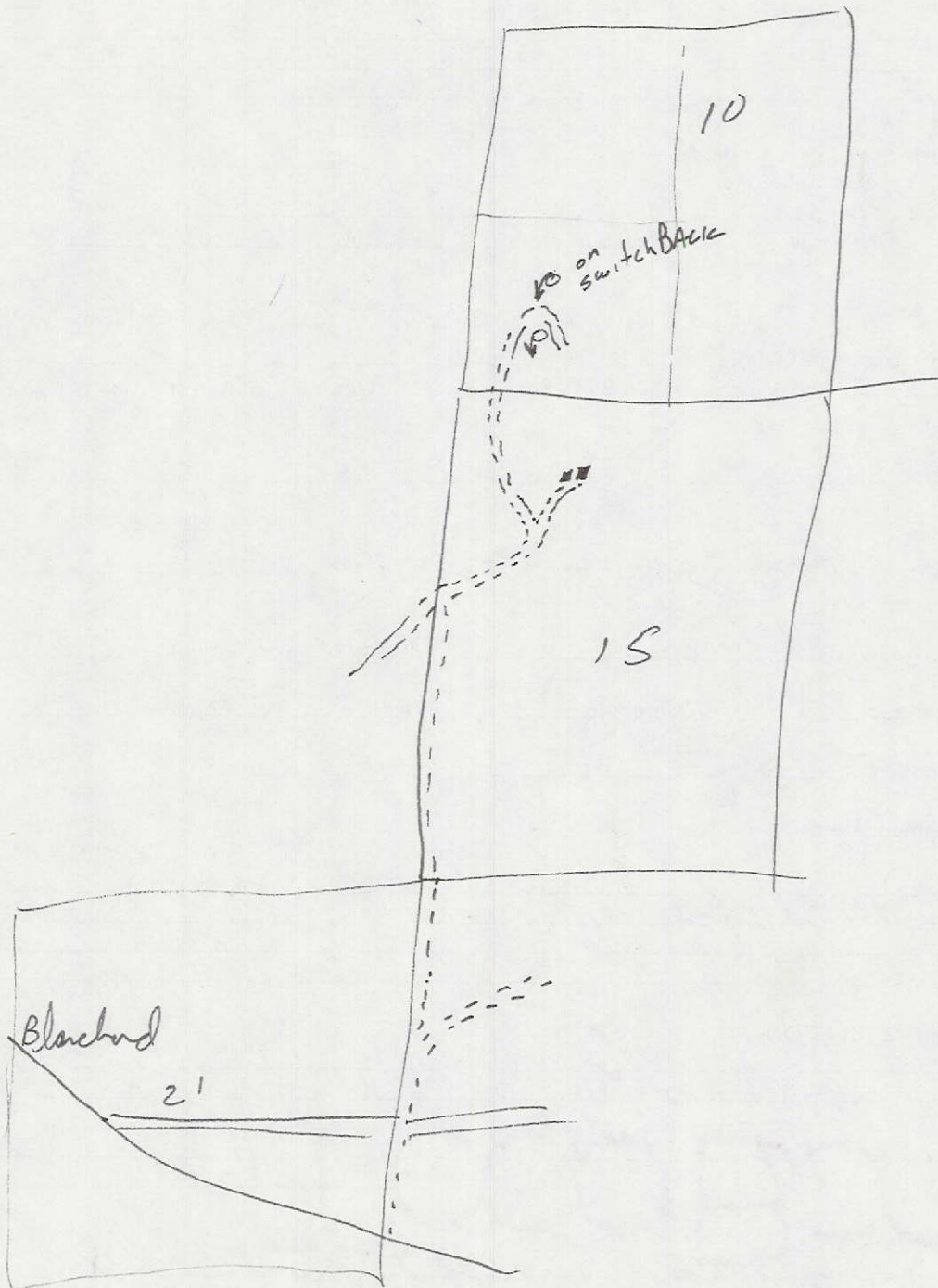
Published in the Priest River Times, Priest River, Idaho on March 28 and April 4, 1974.

13-2t

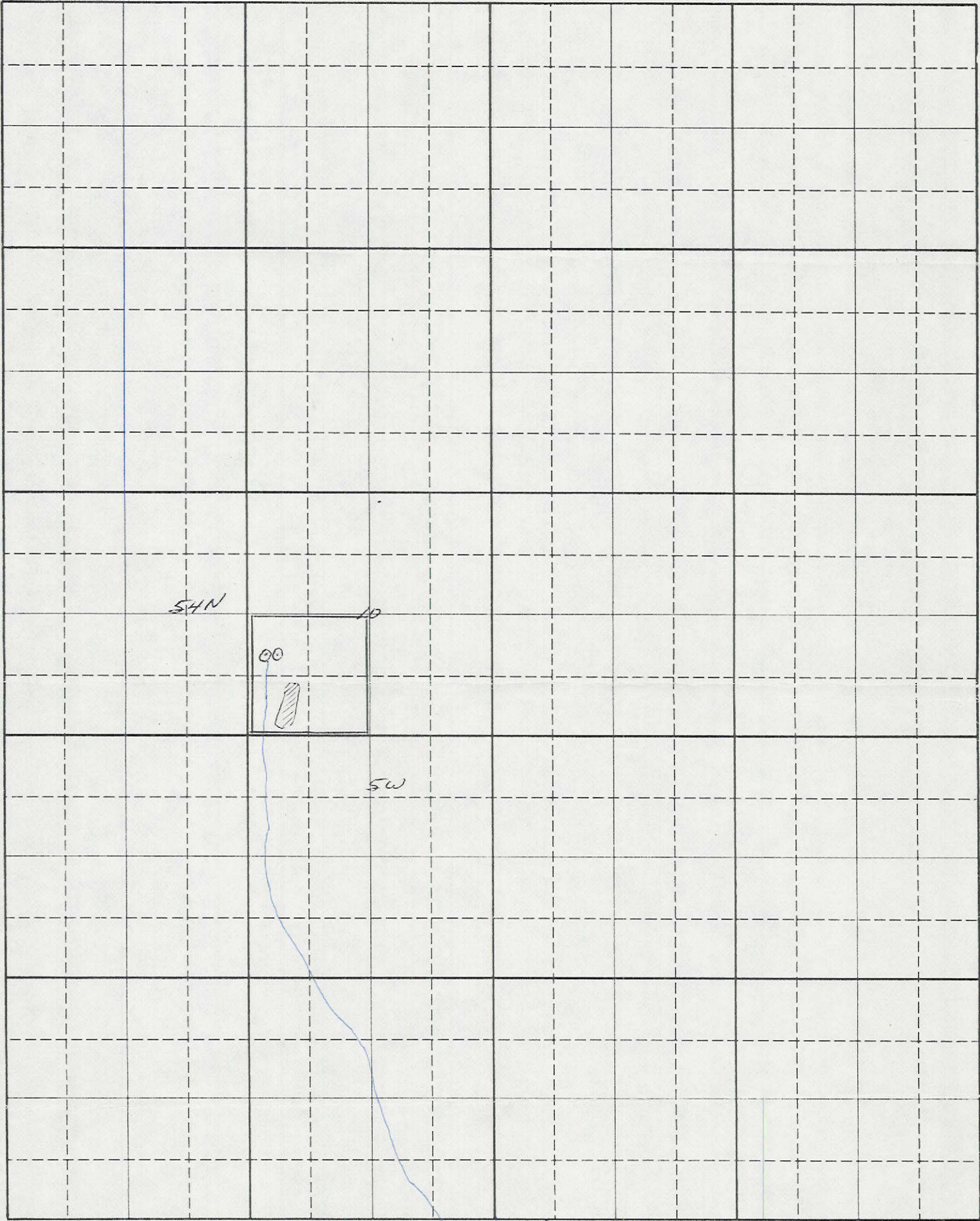
96 7266

MICROFILMED

Mr



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.

nw 4 5 10



Helen H. L. Rogstad
(Applicant)

RECEIVED Feb. 26, 1974

FEB 28 1974

Idaho State of Water Rights
Department of Water Administration
Boise, Idaho

RECEIVED

Dear Sir:

RE: Bonner Co. FEB 27 1974

District Court
Department of Water Administration
First Judicial Dist.
Case # 11971

Facts: findings and Conclusions
of law - Date 16th day of
Nov., 1973 at Randpoint, Ida
Judge: DAR Cogswell
to Helen H. L. Rogstad
the following described
property:

The N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$; the ^{SW $\frac{1}{4}$}
of the N.E. $\frac{1}{4}$, the NW $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of
Section 15, Township 54 N., Range 5,
W.B.M., and also Govt Lot 3 and 4
and the N. $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section
10, Township 54 N., R. 5, W.B.M.

The NE $\frac{1}{4}$ of the N.E. $\frac{1}{4}$;
the SW $\frac{1}{4}$ of the N.E. $\frac{1}{4}$
the NW $\frac{1}{4}$ of the N.E. $\frac{1}{4}$
of Section 15, Township 54 N.,
Range 5, W.B.M., also

Government Lot 3 and 4
and the N. $\frac{1}{2}$ of the S.W. $\frac{1}{4}$
of Section 10, Township 54 N.
Range 5, W.B.M., Bonner
County, Idaho.

Legal filing on
Water Rights and
Mineral Rights 96 7266

Helen H. L. Rogstad
Route 1
2-26-74 Colfax, Wn. 9911

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7266 Priority March 18, 1974 Amount 0.08 cfs

THIS IS TO CERTIFY, that Mr. & Mrs. Warren Leigh & Ivan T. Barney
of Blanchard, Idaho, has complied with the terms and conditions of Permit
No. 96-7266 issued pursuant to Application for Permit dated March 18, 1974,
and has submitted proof to the Department of Water Resources on February 5, 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 0.08 cfs of water from springs,
tributary to sinks, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.04</u> cfs and	<u>6.0</u> acre feet
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____ at _____ cfs and _____		
(both dates inclusive)			

Subject, however, to the condition that no more than 0.08 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
7.2 acre feet per year, said waters to be diverted within the (2 points) NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section
10, Twp. 54N, Rge. 5W in the County of Bonner

Description and location of place of use:

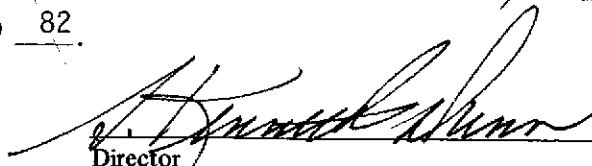
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
54N	5W	15					2												2

Total number of acres irrigated 2

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 31 day of
August, 19 82.


Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
<LICENSING>
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now ~~Michael H. Hargrett~~ Ivan T. Barney

of (address) Blanchard, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 96-7266, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Section 10, Township 54, Range 5, B.M.,
County of Blaine. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	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 $\frac{1}{4}$	
54N	5W	15						2											2

Total number of acres to be irrigated = 2

4. a. Who owns the property at the point of diversion? and Bailey
b. Who owns the land to be irrigated or the place of use? Ivan Barney
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICHAEL H. HARGRETT

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

T54N R5W

Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Bozeman, MT, this 11 day of November, 1981.

[Signature]
(Signature)
[Signature]

FOR DEPARTMENT USE ONLY

Preliminary check by [Signature] Fee = \$20.00

Received by JK Date 3-2-82 (21102)

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 96-7266.

Witness my hand this 31 day of August, 19 82.

[Signature]
Director

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

96-7266

may 27 OK 96

I, Helen H.L. (Ragstad) Keller, hereby assign to Mr. & Mrs. Warren Leigh
of Ivan T Barney - Bx 445 Blanchard, 183804
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 96-7266
to appropriate the public waters of the State of Idaho. OK



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 25 day of April, 19 77.

Helen H.L. (Ragstad) Keller
Permit Holder

x Ernest J Keller
Spouse of Permit Holder

State of Idaho)
County of Rootenai) ss.

On this 25 day of April, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Robert G Haynes
Notary Public residing at
cd A

My commission expires:
September

MICROFILMED

RECEIVED

State of Idaho

JUN 11 1976

Department of Water Resources

Department of Water Resources
Northern District Office

ASSIGNMENT OF PERMIT

I, Helen H. L. Rogstad, hereby assign to Ernest &/or Helen Rogstad Keller
of Box 445, Blanchard, Idaho 83804
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 96-7266
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 11 day of June, 1976.

Helen H. L. Rogstad
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Boonville) ss.

On this 11 day of June, 1976, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Robert J. Haynes
Notary Public residing at
C & H

My commission expires:
11-20-78

ASSIGNED TO: Ernest &/or Helen Rogstad Keller
Box 445
Blanchard, ID 83804

Identification No. 96-7266

ASSIGNED TO: Warren Leigh & Spouse &
5-2-1977 Ivan T. Barney

Application No. _____

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Helen H. L. Rogstad
post office address Route 1 Colfax, Wa. 99111 p.h. 1-509-397-2625
2. Source of water supply Unnamed Springs (2 points) which is a tributary of _____
3. a. Location of point of diversion is (2) NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 54N
Range 5W 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 .06 for Domestic purpose from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .14 for Irrigation purpose from 3/15 to 11/15 (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. .2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Develpped springs into a reservoir
with pump and motor piped to four homes.

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: _____ $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 54N
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 14.
(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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
54N	5W	10												8 (Gov't lot 3)					8

Total number of acres to be irrigated 8

c. Describe any other water rights used for the same purposes as described above. none

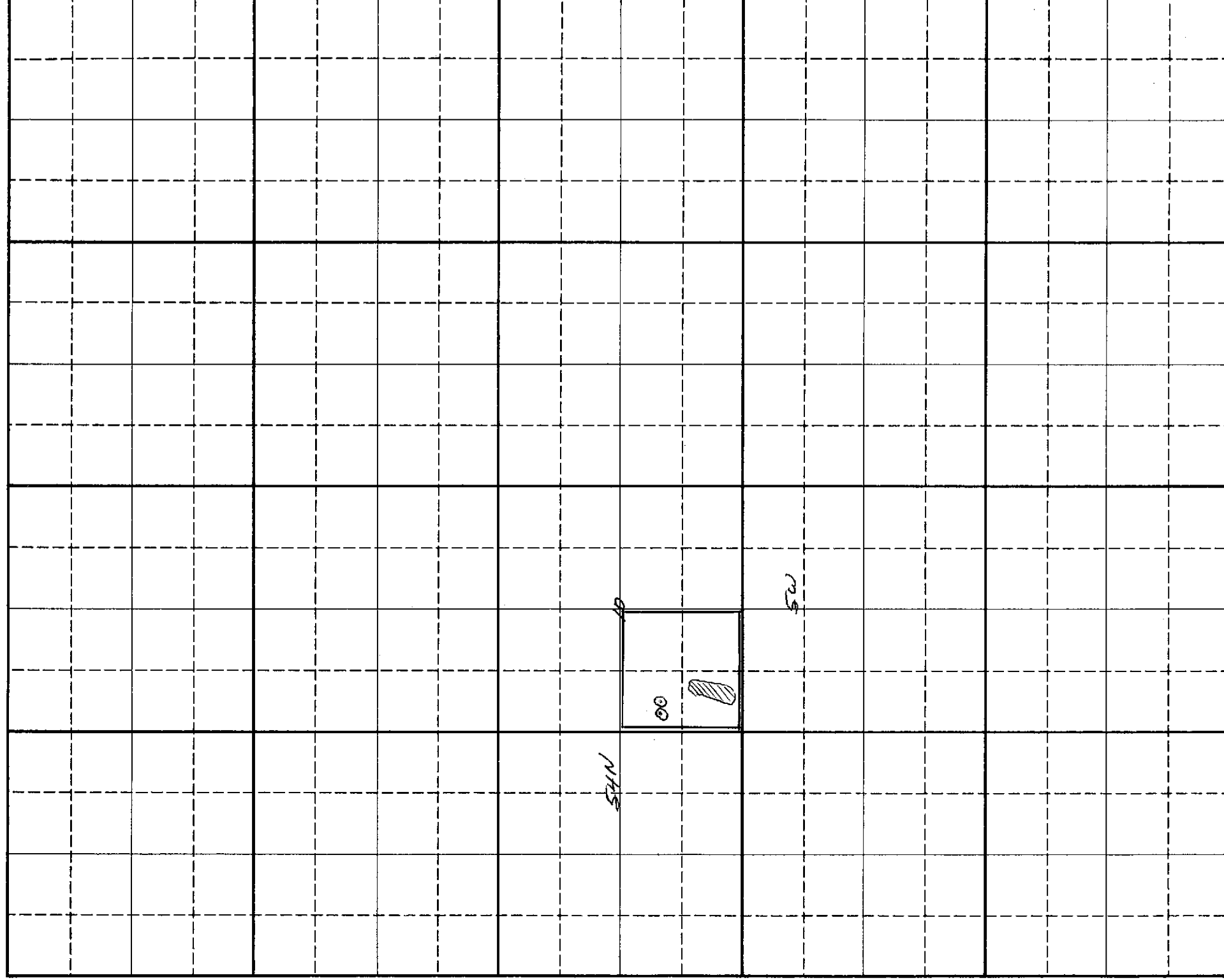
9. a. Who owns the property at the point of diversion Application Holder

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

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.

Helen H. L. Logstad
(Applicant)

Received by FE Date 3/18/74 Time 9:00
 Preliminary check by FE Fee \$ 10.00
 Receipted by FE Date 3/18/74 # 12396
 Publication prepared by cp Date 3-22-74
 Published in Priest River Times
 Publication dates 3-28 & 4-4-74
 Publication approved CP Date 4-8-74
 Priority reduced to _____ Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for (approval) denial by W BDE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-7266, 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 April 1, 19 79.
- c. Other: _____

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

Witness my hand this 24 day of April 1974.

R. Karl Hiji
 Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FE</u>	<u>3/18/74</u>	Application No. <u>96-7266</u>
(2)			☒ 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
(3)	<u>FE</u>	<u>3/18/74</u>	In form to receipt
	<u>FE</u>	<u>3/18/74</u>	Send Copies to: ☒ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	---	---	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>FE</u>	<u>3/18/74</u>	In form for advertising
(6)	---	---	Located within Water District No. _____
(7)	---	---	Critical groundwater area: yes _____ no _____
(8)	---	---	Groundwater levels: ____ Decline (comment) _____ ____ Stable (comment) _____ ____ Increasing (comment) _____
(9)	---	---	Comments: _____
(10)	<u>CP</u>	<u>4/8</u>	Affidavit of Publication received (date) <u>April 5, 1974</u>
(11)	<u>CP</u>	<u>3/22</u>	Final date for protests <u>April 15, 1974</u> Protests received: yes _____ no ☒
(12)	---	---	Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>FE</u>	<u>4/15/74</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>FE</u>	<u>4/15/74</u>	Action recommended: ☒ Approve Priority <u>3/18/74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>North</u>	By <u>[Signature]</u>	Date <u>4/15/74</u>

RECEIVED

APR 18 1974

96 7266

Department of Water Administration

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Maria 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 23rd day of March, 1974, and _____ ending on the 1st day of April, 1974, and that said notice was published in said newspaper proper, and not in supplemental form.

Maria Martin

Subscribed and sworn to before me this

1st day of April, 1974

George C. Connelly
Notary Public for Idaho,
Residing at Priest River, Idaho.

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Helen H. L. Rogstad, Route 1, Colfax, Washington has on March 18, 1974 submitted Application No. 96-7266 for a permit to appropriate 0.2 cubic feet per second of water from Unnamed Springs by means of developed springs, reservoir, pump, motor, and pipelines within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 10, T. 54N., R. 5W, B.M., Bonner County to be used from Jan. 1 to Dec. 31 for domestic purposes for 14 families (0.06 cfs); and from March 15 to Nov. 15 for the irrigation of 8 acres (0.14 cfs) within the SW $\frac{1}{4}$ (domestic), Gov't. Lot 3 (irrigation), Sec. 10, T. 54N, 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 Administration, 401 Front Avenue, Coeur d'Alene, Idaho, 83814 on or before April 15, 1974.

R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on March 28 and April 4, 1974.

13-2t

96 7266

September 15, 1982

RE: Permit No. 96-7266

Mr. and Mrs. Warren Leigh & Ivan T. Barney
Blanchard,
Idaho 83804

Dear Permit Holders:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures



A. Kenneth Dunn
XXXXXXXXXXXX

December 3, 1981

Mr. Ivan T. Barney
Blanchard
Idaho 83804

Dear Mr. Barney:

We are returning your Application for Amendment of a Permit.

As you are aware, a \$20.00 filing fee is required before we can
accept it.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - Amendment

MICROFILMED

A. Kenneth Dunn
~~XXXXXXXXXXXX~~

October 22, 1981

Mr. Ivan T. Barney
Box 505
Blanchard, Id. 83804

Re: 96-7266

Dear Mr. Barney:

I have checked the file of Water Right No. 96-7266 and can find no amendment changing the place of use from Section 10 to Sections 15. To avoid cancellation of Permit No. 96-7266, it will be necessary to file an amendment changing the place of use.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office



October 15, 1981

RE: Permit No. 96-7266

Mr. and Mrs. Warren Leight
and Ivan T. Barney
Box 445
Blackfoot, ID 83804

Dear Mrs. Leigh and Gentlemen:

On September 11, 1981, we forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment.

If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you.

Since this license will be a permanent water right your prompt attention to this matter will be appreciated.

If you have any questions, please contact us as soon as possible.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

September 11, 1981

Mr. & Mrs. Warren Leigh & Ivan T. Barney
Box 445
Blanchard, ID 83804

Dear Sirs,

A representative of this Department made an examination of the works covered by your Permit No 96-7266 on June 17, 1980, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .08 cfs Source: unnamed springs

The maximum quantity diverted shall not exceed 7.2 acre feet
per year.

Point of diversion: (2 pts) NWSW Section 10, T54N, Rge 5W

Beneficial use: Domestic use of 1 unit and Irrigation of 2 acres within
the NWNW Section 15, Twp 54N, Rge 5W

Priority date established: March 18, 1974

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:j
Enclosure

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Directions on back

1. Name of permit holder MR. + MRS. Warren Leigh + Ivan T. Barney
 Post office address Box 245, Blanchard, ID Phone 437-3994
 Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed springs (2)
 (name spring, stream, etc.)
 Tributary to _____

3. Water will be used for the following purposes:

Amount 0.06 c.f.s. for domestic (14) - 1 home
 _____ AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
 (mo.-day) inclusive (mo.-day)

Amount 0.14 c.f.s. for irrigation
 _____ AF/Annum (nature of use)

Period of Use: from 3-15 to 11-15
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 9-1
 Examination for 6/26

4. Total amount to be appropriated:

Max Rate of Diversion 0.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 54N N/S, Range 5W E/W, B.M., Section 10, Subdivision NW 1/4 SW 1/4 Bonner
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
 County _____

Other Points of Diversions: _____

Description of diverting works: wooden box, pipeline

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	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	
<u>54N</u>	<u>5W</u>	<u>10</u>																	<u>8</u>
<u>54N</u>	<u>5W</u>	<u>15</u>																	

TOTAL ACREAGE 8

RECEIVED

JUL 2 1980

Department of Water Resources

DATE OF EXAM 6-17-80

ACREAGE
Found 2 ✓
Recommended 2 ✓

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 0.04 c.f.s. V= 86.0 AF/Ann. from 3-15 to 11-15
Domestic Q= 0.04 c.f.s. V= 1.2 AF/Ann. from 1-1 to 12-31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

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

Exchange? yes _____ no ✓

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 None Method of measurement _____

Total Q recommended 0.08 Meter No. _____ Type _____ Condition _____

Total V recommended 2.2

Recommended Amendments:

P.D. _____
Place of Use NW NW, Sec 15, T 54N, R 5W
Other _____
None _____

MEASUREMENT CALCULATION:

2 dom 0.04 cfs @ 6.0 AF ✓
1 dom 0.04 cfs @ 1.2 AF ✓
0.08 cfs @ 7.2 AF ✓

SYSTEM DESCRIPTION:

Developed springs with pipeline to home and (6) 3/4" x 50' rockers.

REMARKS:

One home 2-3 hd stock in 1/4 garden 2 acres
Tap 50-75' apart one spring 3x3x15 deep wooden box, 1 1/4" plastic line
to place of use. 3/4" rockers (6) 50' long

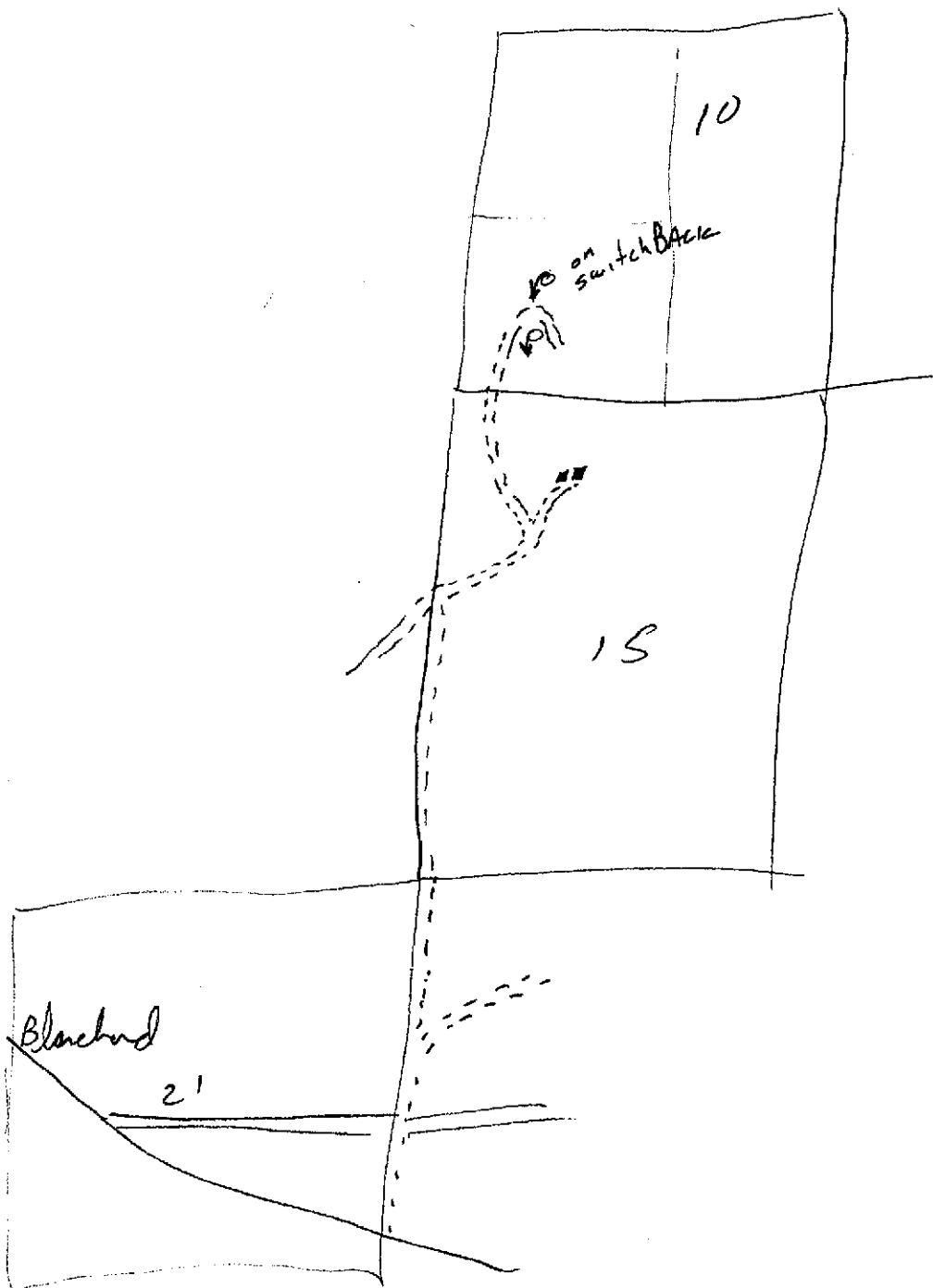
Told Mr. Barney that he would have to reapply to develop stock water right. 4/16/80 TC

Examiner's Signature [Signature] Date 6-17-80

Checked by Bob Haynes Date 6/25/80

Approved by [Signature] Date 6/11/81

ML





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 13, 1979

Mr. Ivan T. Barney &/or
Mr. and Mrs. Leigh
P. O. Box 505
Blanchard, ID 83804

Dear Mr. Barney and Mr. and Mrs. Leigh:

Re: Permit No. 96-7266

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 regional office in Coeur d'Alene.

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

RECEIVED

FEB 5 1979

Department of Water Resources

1. a) Name of permit holder IVAN T BARNEY
- b) Post office address PO Box 505 BLANCHARD ID. 83804
2. Permit number 96 7266
3. Date of priority that you are prepared to establish aug 1 77
4. a) Source from which water was appropriated Spring
- b) Location of the point of diversion: nm 1/4 SW 1/4, Section 10
Township 54 n, Range 5 W Boise Meridian. Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .06 for household and domestic use purposes from aug 1 77 to Jan 31 79 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount .14 for irrigation purposes from 7 1 77 to 11 15 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated .2 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:
up to the gravity flow in a 1 1/4 inch pipe with
about 150 feet of elevation drop.
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:
1 1/4 inch pipe laid by Jim Procher of
Bedford ID at owners expense of about \$6.80.
- b) Describe the agreement of understanding by which you take water from the works: Purchase
agreement of the land on which spring rises,
each partner to develop his own share.
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):
Dug out spring - covered by wooden box from
which water is gravity piped to point of use
which is approximately 25.00 ft S of spring
- b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)
1 1/4 inch pipe laid about 3 ft deep with
over 100 ft fall

MICROFILMED

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:

*Household use - stock water for horses & horses
irrigation water for garden & lawn*

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

*garden & Pasture within NW 1/4 of NW 1/4
sect 15 T*

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
54	5W	15					✓												8

10. Remarks: *Water was piped to sec 15 in aug 77
pipe was in continuous use*

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

Feb 7 79
(Date)

Frank J. Bannay
(Signature)

State of Idaho)
County of Kootenai) ss.

On this 2nd day of February, 1979, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Debbie Q. Waddell

Notary Public
Residing at *Boothman*

My commission expires *Lifetime*

ASSIGNED TO: Ernest &/or Helen Rogstad Keller
Box 445
Blanchard, ID 83804

Identification No. 96-7266

Application No. _____

ASSIGNED TO: Warren Leigh & Spouse &
5-2-1977 Ivan T. Barney

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

1. Name of applicant Helen H. L. Rogstad
post office address Route 1 Colfax, Wa. 99111 p.h. 1-509-397-2625
2. Source of water supply Unnamed Springs (2 points) which is a tributary of _____
3. a. Location of point of diversion is (2) NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10 Township 54N
Range 5W 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 .06 for Domestic purpose from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .14 for Irrigation purpose from 3/15 to 11/15 (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. .2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Developped springs into a reservoir
with pump and motor piped to four homes.

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: in NW $\frac{1}{4}$ of ~~10~~ 15 $\frac{1}{4}$ of Section 15 Township 54N
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 14
(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:

[illegible]

Total number of acres to be irrigated. 8

c. Describe any other water rights used for the same purposes as described above. none

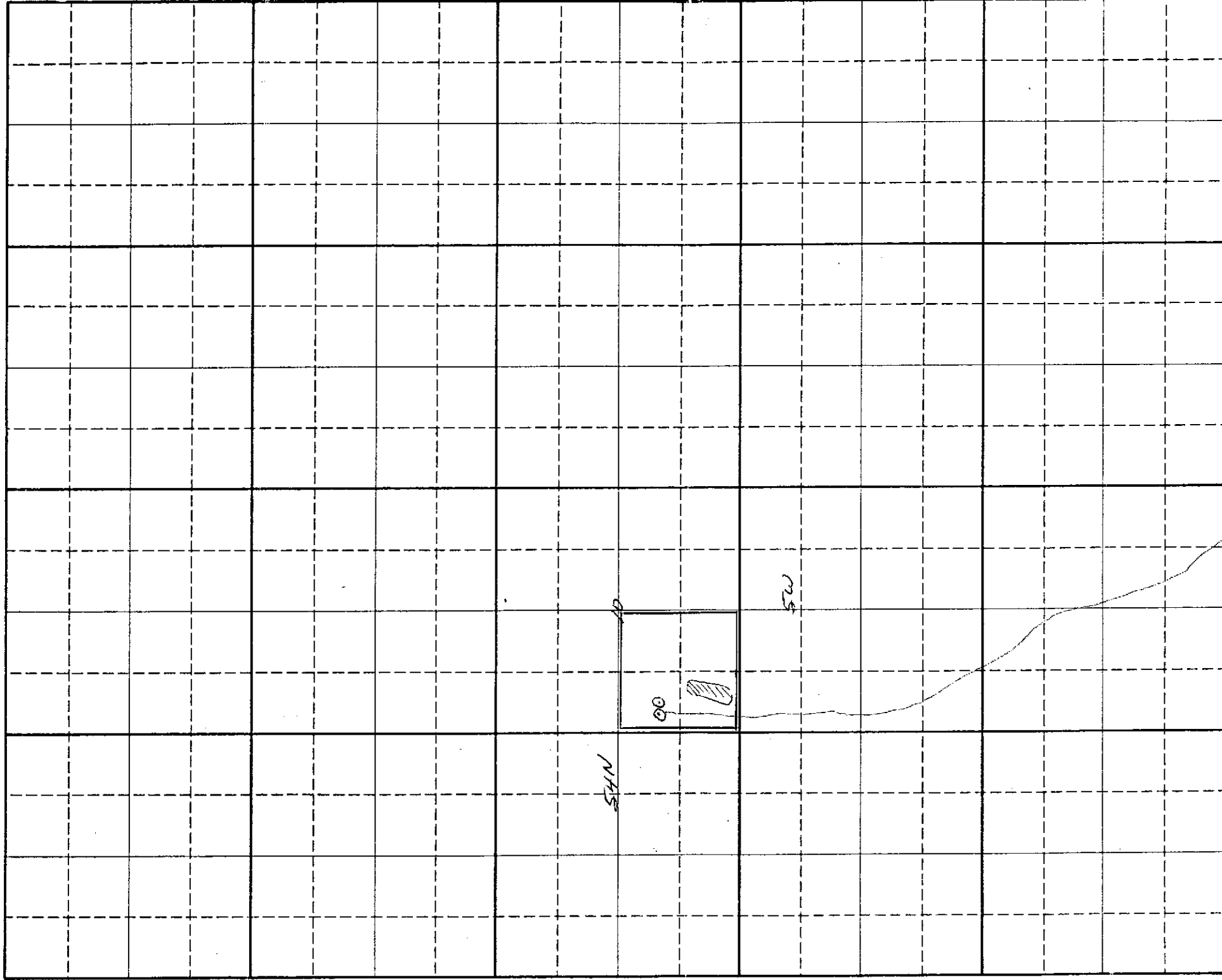
9. a. Who owns the property at the point of diversion _____ Application Holder

b. Who owns the land to be irrigated or place of use Sharon / Banning

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.



2014/05/10

Helen H. L. Logstad
(Applicant)

Received by FP Date 3/18/74 Time 9:00
Preliminary check by FP Fee \$ 10.00
Received by FP Date 3/18/74 # 12386
Publication prepared by cp Date 3-22-74
Published in Priest River Times
Publication dates 3-28 & 4-4-74
Publication approved CP Date 4-8-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by du BDE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-7266, 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 April 1, 1979.
- c. Other: _____

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

Witness my hand this 24 day of April 1974.

R. Karl Hjort
Director

John C. Bannay
Box 355
Blanchard, Idaho
83804



State of Idaho
Department of Water Resources
State office 373 NW Franklin St
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

100697

January 30, 1979

Re: Permit No. 96-7266

Mr. and Mrs. Warren Leigh & Ivan T. Barney
Box 445
Blanchard, ID 83804

Dear Mr. and Mrs. Leigh and Mr. Barney:

One of the conditions of approval of your water Permit No. 96-7266 (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 April 1, 1979. 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.

RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 6, 1977

Re: Permit No. 96-7266

Mr. & Mrs. Warren Leigh &
Mr. Ivan T. Barney
Box 445
Blanchard, Idaho 83804

Dear Mr. & Mrs. Leigh and Mr. Barney:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:JFR

Encl: Copy of Permit

2025 RELEASE UNDER E.O. 14176

June 17, 1976

Re: Permit Nos. 96-7265
96-7266

Ernest &/or Helen Rogstad Keller
Box 445
Blanchard, ID 83804

Dear Mr. and Mrs. Keller:

This is to acknowledge receipt of the assignment conveying the above referenced permits to you. The assignment has been recorded and the Departments records changed accordingly.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

RECEIVED

C
O
P
Y
April 24, 1974

Re: Permit Nos. 96-7265 and 96-7266

Helen H. L. Rogstad
Route 1
Colfax, Washington 99111

Dear Ms. Rogstad:

Enclosed are copies of your approved Applications for Permit Nos. 96-7265 and 96-7266. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jfr

Enclosures

96-7266

March 25, 1974

Re: Application for Permit No. 96-7266 - Helen H. L. Rogstad

Jack C. Ross
Panhandle Health District
P.O. Box 734
Sandpoint, ID 83864

Dear Mr. Ross:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our office as soon as possible. We normally complete the processing of an application within a four-week period and we are required to take final action shortly thereafter.

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

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosure

96 7266

March 22, 1974

Re: Application No. 96-7265 - Helen H. L. Rogstad
" " 96-7266 " " "
Claim No. 97-4043 - Edw. A. Hamshar

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

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. ~~In order to receive payment, the following certification must appear on the bill:~~

~~"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."~~

(signature of claimant)

Very truly yours,

FRED EISENBARTH
Northern District Manager

Bill submitted 4-8-74 by CP

FE:CP

Enc: Legal Notices (3)

96 7266

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Helen H. L. Rogstad,
Route 1, Colfax, Washington
has on March 18, 1974 submitted Application No. 96-7266
for a permit to appropriate 0.2 cubic feet per second ~~xxx feet per second~~
of water from Unnamed Springs
by means of developed springs, reservoir, pump, motor, and pipelines
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 10, T. 54N, R. 5W, B.M., Bonner County
to be used from Jan. 1 to Dec. 31 for domestic purposes for 14 families (0.06
~~xxx cfs)~~; and from March 15 to Nov. 15 for the irrigation of 8 acres (0.14 cfs)
within the SW $\frac{1}{4}$ (domestic), Gov't. Lot 3 (irrigation), Sec. 10, T. 54N, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before
April 15, 1974.

R. KEITH HIGGINSON

Director

Published in the Priest River Times, Priest River, Idaho
on March 28 and April 4, 1974

96 7266

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Helen H. L. Rogstad, Route 1, Colfax, Washington has on March 18, 1974 submitted Application No. **96-7266** for a permit to appropriate 0.2 cubic feet per second of water from Unnamed Springs by means of developed springs, reservoir, pump, motor, and pipelines within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 10, T. 54N., R. 5W, B.M., Bonner County to be used from Jan. 1 to Dec. 31 for domestic purposes for 14 families (0.06 cfs); and from March 15 to Nov. 15 for the irrigation of 8 acres (0.14 cfs) within the SW $\frac{1}{4}$ (domestic), Gov't. Lot 3 (irrigation), Sec. 10, T. 54N, 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 Administration, 401 Front Avenue, Coeur d'Alene, Idaho, 83814 on or before April 15, 1974.

R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on March 28 and April 4, 1974.

13-2t

OK.
3-26-74
CP

96
7266

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

March 7, 1974

Ms. Helen H. L. Rogstad
Route 1
Colfax, WA 99111

Dear Ms. Rogstad:

We have received your letter of February 26, 1974, but we are not sure what you intended from the letter.

The area you described is outside the boundaries of our Blanchard Creek Adjudication and cannot be included under the determination of water rights within the drainage.

If there are water rights established by diversion and beneficial use, you may have these Constitutional Rights recorded by filing a Claim to a Water Right which we have enclosed. If you now intend to divert and use water, you should submit the Application for Permit we have also enclosed.

If we may be of any further assistance, or if there are any questions, feel free to contact our office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

96 7266

RECEIVED

Feb. 26, 1974

FEB 28 1974

Idaho State of Water Rights

Department of Water Administration
Northern District Office

Boise, Idaho

Dear Sir:

RECEIVED

RE: Bonner Co.

FEB 27 1974

District Court

Department of Water Administration

First Judicial Dist.

Case # 11971

Facts : findings and Conclusions
of law = Date 16th day of
Nov., 1973 at Randpoint, Ida
Judge: DAR Cogswell
to Helen H. L. Rogstad
the following described
properties:

~~The N.E. 1/4 of the N.E. 1/4; the SW 1/4
of the N.E. 1/4, the NW 1/4 of the N.E. 1/4 of
Section 15, Township 54 N., Range 5,
W.B.M., and also Govt Lot 3 and 4
and the N 1/2 of the SW 1/4 of Sect
10, Township 54 N., R. 5, W.B.M.~~

The NE 1/4 of the N.E. 1/4;
the SW 1/4 of the N.E. 1/4
the NW 1/4 of the N.E. 1/4
of Section 15, Township 54 N.,
Range 5, W.B.M., also

Government Lot 3 and 4
and the N. 1/2 of the S.W. 1/4
of Section 10, Township 54 N.
Range 5, W.B.M., Bonner
County, Idaho.

Legal filing on
Water Rights and
Mineral Rights

96 7266

Helen H. L. Rogstad

Route 1

2-26-74 Colfax, Wn. 9911