

No Color

Documents

In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7237 Priority November 5, 1973 Amount .04 cfs

THIS IS TO CERTIFY, that THOMAS E. GAGIN, JR.
of Hope, Idaho, has complied with the terms and conditions of Permit
No. 96-7237 issued pursuant to Application for Permit dated November 5, 1973,
and has submitted proof to the Department of Water Resources on October 24, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .04 cfs of water from a spring,
tributary to an unnamed stream, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u> at <u>.04</u> cfs and <u>1.2</u> acre feet		
	from <u></u> to <u></u> at <u></u> cfs and <u></u>		
	from <u></u> to <u></u> at <u></u> cfs and <u></u>		

(both dates inclusive)

Subject, however, to the condition that no more than .04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 56N,
Rge. 2E, B.M. in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.													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 $\frac{1}{4}$	
56N	2E	8													

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 10 day of

September, 19 81.

Director

46
Identification No. 96-7237

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Thomas E. Gagin, Jr.
post office address P.O. Box 309, Hope, Idaho
2. Source of water supply Unnamed Spring which is a tributary of Unnamed Stream
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 56N
Range 2E B.M. Bonner County; additional points of diversion if any: 430' East of East-West lince. 100' North of North-South line.
- b. If water is not consumed, it will be discharged into Unnamed Stream at a point in NE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 7 Township 56N Range 2E B.M. Bonner County
4. Water will be used for the following purposes:
Amount 0.20 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for Irrigation purpose from March 15 to Nov. 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. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Dig out and set perferated 10'X4' casing, backfill and seal with concrete, install 1 h.p. pump and pipe water uphill to campground.
- 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 \$ 1,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: W $\frac{1}{2}$ $\frac{3}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 56N
Range 2E 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 50.
(5) If water is to be used for other purposes describe: Water to be used in campground for recreation vehicles and cabin rental units.

96 7237

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	
56N	2E	8											14						14

Total number of acres to be irrigated 14

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

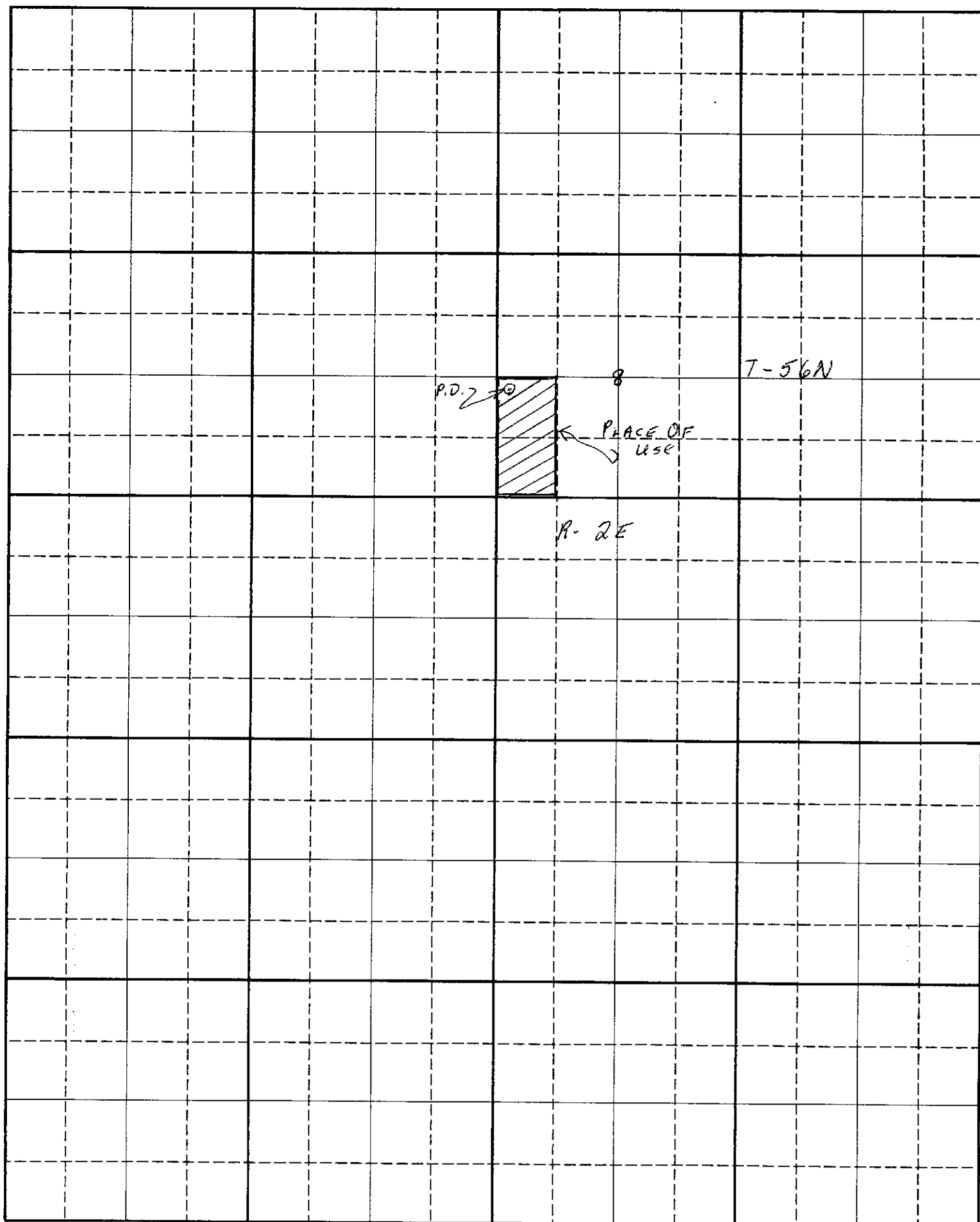
9. a. Who owns the property at the point of diversion Applicant

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.

Thomas E. Hagin Jr.
(Applicant)

11-5-1973
Proposed Priority

96 7237

Received by KK Date 11/5/73 Time 10.00 A.
Preliminary check by KK Fee \$ 10.00
Receipted by KK Date 11/5/73 # 12240
Publication prepared by cp Date 11-9-73
Published in Sandpoint News-Bulletin
Publication dates 11-15 & 11-22-73
Publication approved CP Date 12-3-73
Priority reduced to _____ Reason _____

Protests filed by: _____

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

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. 96-7237, 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 December 1, 19 78.
- c. Other: _____

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

Witness my hand this 28 day of December 19 73.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FE</u>	<u>11/7/73</u>	Application No. <u>96-7237</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>11/2/73</u>	In form to receipt
	<u>FE</u>	<u>11/2/73</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 <u>Plotted on map</u>
(5)	<u>FE</u>	<u>11/2/73</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>12-3-73</u>	Affidavit of Publication received (date) <u>DECEMBER 3, 1973</u>
(11)	<u>CP</u>	<u>11-9-73</u>	Final date for protests <u>DECEMBER 3, 1973</u> Protests received: yes _____ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>FE</u>	<u>12/3/73</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>FE</u>	<u>12/4/73</u>	Action recommended: ☒ Approve Priority <u>11/5/73</u> ☐ Deny Reason for Reduction _____ ☐ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>Nathan</u>	By <u>[Signature]</u>	Date <u>12/3/73</u>

96 7237

DEC 19 1973

DEC 5 1973

Department of Water Administration

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

RECEIVED

NOV 13 1973

NOTICE OF APPLICATION FOR WATER PERMIT

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas E. Gagin, Jr., P.O. Box 309, Hope, Idaho has on November 5, 1973 submitted Application No. 96-7237 for a permit to appropriate 0.20 cubic feet per second of water from an Unnamed Spring by means of pump and pipeline within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 56N, R. 2E, B.M., Bonner County to be used from Jan. 1 to Dec. 31 for domestic purposes for 50 families (0.20 cfs); and from March 15 to Nov. 15 for the irrigation of 14 acres (0.20 cfs) within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 8 (domestic); SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, T. 56N, R. 2E, B.M. (irrigation).

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 December 3, 1973.

R. KEITH HIGGINSON
Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho on Nov. 15 and Nov. 22, 1973. N15-22

L. E. Pietsch being first duly sworn on oath deposes and says that he is Publisher of The Sandpoint News-Bulletin, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho; that the said Sandpoint News-Bulletin has been continuously and uninterruptedly published in said Bonner County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice for publication in the case of Notice of Application For Water Permit, submitted by Thomas E. Gagin, Jr., P.O. Box 309, Hope, Idaho, No. 96-7237.

as it was published in the regular and entire issue of the said paper for a period of two consecutive weeks, commencing on the 15th day of November, 1973, and ending on the 22nd day of November, 1973, and that said notice was published in said newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

29th

day of November, 1973.

Oliver Grant

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

96 7237



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

September 22, 1981

Thomas E. Gagin, Jr.
P.O. Box 309
Hope, ID

RE: License 96-7237

Dear Mr. Gagin,

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

NOV 10 1980

1. Name of permit holder Thomas E. Hagin, Jr. Department of Water Resources
Post office address P.O. Box 309, Hope, Id. Phone _____
Person to contact John & Jeff Hagin Box 401, Hope Phone 264-5686
(new owners)
2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed spring
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.20 c.f.s. for domestic (1 Home 50 unit Campground)
AF/Annum (nature of use)

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

Permit shows also:
Amount 0.20 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. 96-7237
Examination for 6/12

4. Total amount to be appropriated:

Max Rate of Diversion 0.20 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 56N N/S, Range 2E E/W, B.M., Section 8, 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: 4" casing sunk 10' into spring
1/2 hp submersible, 1 1/2' waterline to house

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	
56N	2E	8										X	X						24
RECEIVED NOV 2 1980 Department of Water Resources Northern District Office																			

TOTAL ACREAGE 24

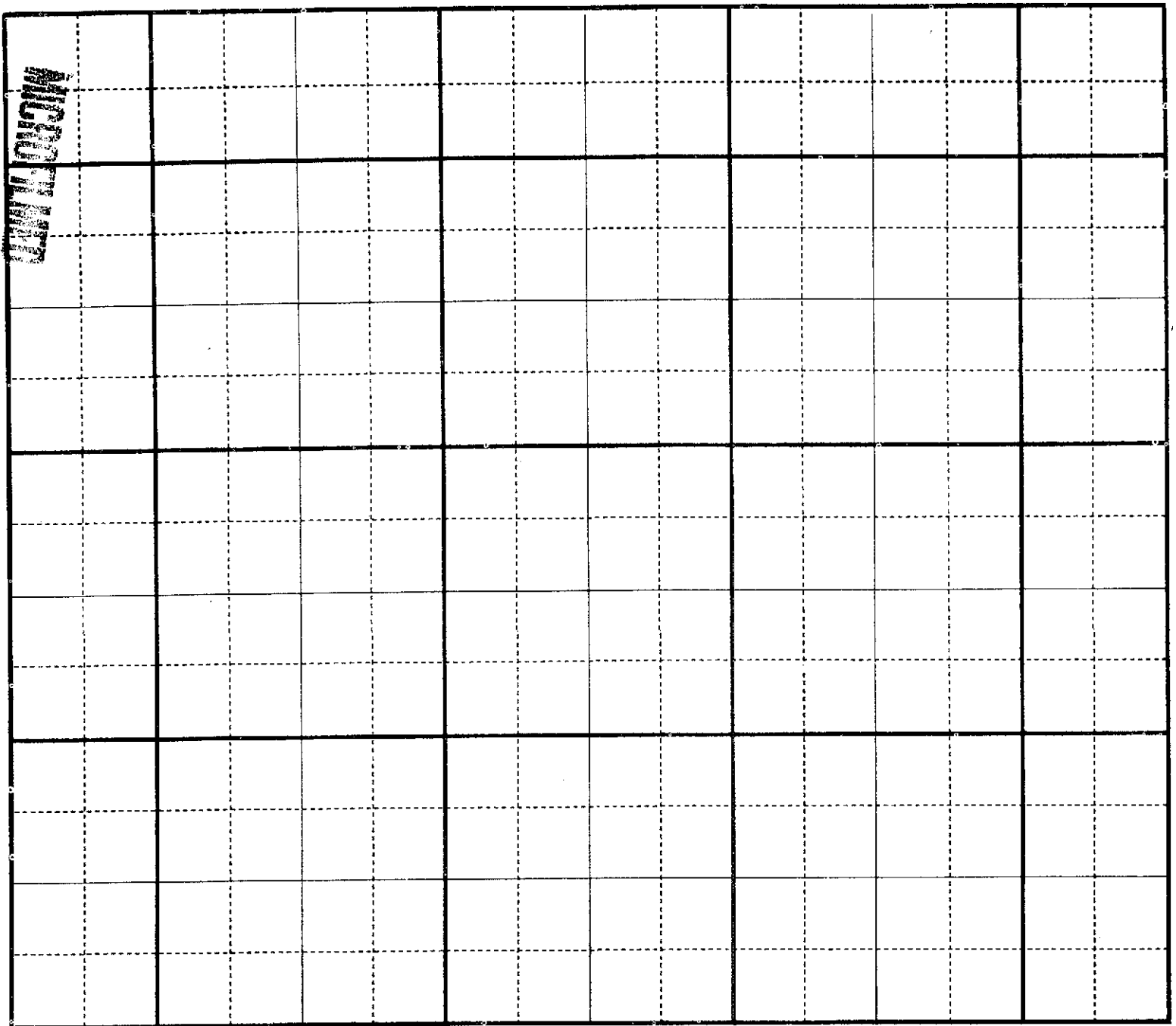


Diagram of System

No map or Diagram
submitted with this
exam. RE 6/11/81

DATE OF EXAM 10-24-80

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 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 ☒ Method of measurement Estimate

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

Total V recommended 1.2 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

One home ☒ SW SW Sec. 8 T56N R2E

SYSTEM DESCRIPTION:

Developed spring with submersible pump and pipeline to home
with 14' x 4' vert. culvert and

REMARKS:

Contacted for claim

Examiner's Signature [Signature] Date 10-24-80

Checked by Bob Haynes Date 11/6/80

Approved by [Signature] Date 6/11/81

MICROFILMED

Hope East on 200 thru Hope : 4 mi turn to left
across R. R. to old hwy gravel Road. $\frac{1}{2}$ mi on
house on left. log cabin driveway to Right ,
 $\frac{1}{4}$ - $\frac{1}{2}$ to "T" Fm here turn left to pop shed

MICROFILMED

April 3, 1979

Mr. John Hein
Box 401
Hope, Idaho 83836

Dear Mr. Hein:

The final stage of obtaining a water right through the permit process requires that an examination of the water system be conducted by a representative of this Department. I would, therefore, like to conduct the required exam in the near future.

Please inform me what person I can contact for assistance in gaining access to the system and determining which homes are a part of the system.

Thank you for your cooperation.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED

96-7937



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

July 21, 1987

Thomas E. Gagin Jr.

P.O. Box 309

Hope, ID 83836

Dear Mr. Gagin,

A representative of this Department has made an examination of the works covered by your Permit No. 96-7237, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .04 cfs Source: a spring

The maximum quantity diverted shall not exceed 1.2 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 56N, Rge. 2E, B.M.

Beneficial use: Domestic use for 1 unit within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 8, Twp. 56N,
Rge. 2E.

Priority date established: November 5, 1973

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

MICROFILMED



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

October 24, 1978

Thomas E. Gagin, Jr.

P. O. Box 909

Hope, ID 83836

Re: Permit No. 96-7237

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

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 24 1978

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of permit holder THOMAS E. GAGGIN JR
b) Post office address PO Box 309 Hopie AZ 63836
2. Permit number 96-7237
3. Date of priority that you are prepared to establish 9-1-75
UNNAMED
4. a) Source from which water was appropriated SPRING
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 8
Township 56, Range 2 E Boise Meridian. Other points of diversion: 430' EAST OF EASTWEST LINE - 100' N OF NORTH SOUTH LINE
5. a) The amount of water and use to which the water has been applied:
Amount 5 HP. SUBMERSIBLE PUMP DOMESTIC purposes from 1-1 to 12-31 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated P 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:
PUMP MANUFACTURER
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 of 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):
4' CASING 90'X 10' INTO SPRING
5 HP SUBMERSIBLE - 1/2" WATER LINE TO HOUSE
- b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

10/24/78

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

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

DOMESTIC USE. GARDEN TREES

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated

10. Remarks: HAVE SOLD PROPERTY AND WATER WORKS AS OF
SEPT. 1976 TO - JOHN & JEFF HEIN
PO BOX 401 HOPE ID. 83836

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

10-22-78
(Date)

Thomas E. Leggett
(Signature)

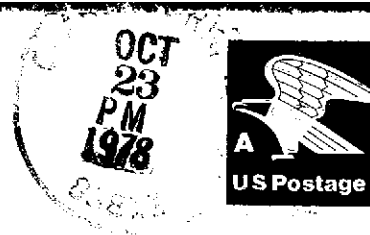
State of IDaho)
County of Bonner) ss.

On this 23 day of October, 1978, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

David Leggett
Notary Public
Residing at Hope

My commission expires 11/20/78

PO Box 309
HOPE Id. 83836



St. of Idaho
Dept. Water Resources
Statehouse
Boise Idaho, 83720

MICROFILMED



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 100272

September 30, 1978

Re: Permit No. 96-7237

Thomas E. Gagin, Jr.
P. O. Box 309
Hope, ID 83836

Dear Mr. Gagin:

One of the conditions of approval of your water Permit No. 96-7237 (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 December 1, 1978. 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

Enc. Proof affidavit

MICROFILMED

January 8, 1974

Re: Permit No. 96-7237

Thomas E. Gagin, Jr.
P. O. Box 309
Hope, Idaho 83836

Dear Mr. Gagin:

Enclosed is a copy of your approved Application for Permit No. 96-7237 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosure

96 7237

96 7237

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

December 6, 1973

Re: Application for Permit No. 96-7237 - Thomas E. Gagin, Jr.

William L. Hammaker
Star Route, Box 218-A
Hope, ID 83836

Dear Mr. Hammaker:

Pursuant to our telephone conversation of December 4, 1973, we are writing concerning your letter of protest to the above referenced application. As we mentioned in our conversation, if the permit is approved, it will in no way grant permission to trespass over private or governmental property to obtain water. Therefore, if you should determine that the spring is located on your property, you would have protection under your property rights. However, if you still wish to file a protest to issuance of this permit, you should base your reasons on the following:

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?

Please notify this office as to your intentions regarding this application within ten days. If we receive your protest, a hearing will be scheduled at a later date at which time testimony will be taken. If we do not hear from you within the ten days, we will approve the permit and the problem of ownership of the spring will have to be determined by survey.

If you should have any questions or need any clarification, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

96-7237

PLEASE NOTE LAST
PARAGRAPH OF THIS
LETTER. WE HAD NO
RESPONSE. 96 7237
CP

96-7237
96-4105

201-5409

WILLIAM L. HAMMAKER
STAR ROUTE BOX 218-A
HOPE, IDAHO 83836

11.20.73

RECEIVED

NOV 26 1973

Department of Water Administration
Northern District Office

Mr. R. Keith Higginson
Id. Dept of Water Administration
Coeur d'Alene, ID.

Dear Mr. Higginson:

In response to the recent publication
of the intention of my neighbor
Thomas E. Gagin Jr. PO Box 309 Hope, Id.
to request a Water Permit, I am
writing to protest - if the Unnamed
Spring should be located on the
line between us. In talking
with Mrs. Gagin, I have learned
that there has been no survey.

Naturally - and especially due to the
magnitude of Mr. Gagin's plans,
I am concerned about this
matter.

Sincerely,

96 7237

W. L. Hammaker

RECEIVED

NOV 8 1973

Idaho Dept. of Water Administration
Boise, Idaho 83725

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

To Whom Billed:

Name Idaho Dept. of Water Administration NO 0051

Address _____

Name of Advertiser _____

Ad No.: _____ Ad Size: _____ x _____

Caption Notice of Application for
Water Permit

Insertion Dates: Nov. 15, 22

Copy:

Thomas E. Gagin Jr.

TEL. 96-7237

DATE 11-15-73

Type of Advertising

- ☐ National Display
☐ Local Display
☐ Classified Display
☐ Classified
☐ Reader
☐ Card of Thanks
☒ Legal

Total Space 35 lines x 36¢ = \$ 12.60
(Col. Inches/Words) (rate) (Billing)

96 7237

November 9, 1973

Re: Application No. 96-7237 - Thomas E. Gaglin, Jr.
Claim No. 96-4105 - " " " "

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, ID 83864

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 12-3-73 by CP

FE:CP

Enc: Legal Notices (2)

96 7237

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas E. Gagin, Jr.,

P.O. Box 309, Hope, Idaho

has on November 5, 1973 submitted Application No. 96-7237

for a permit to appropriate 0.20 cubic feet per second ~~acres feet per annum~~
of water from an Unnamed Spring

by means of pump and pipeline

within the NW 1/4, Sec. 8, T. 56N, R. 2E, B.M., Bonner County

to be used from Jan. 1 to Dec. 31 for domestic purposes for 60 families
~~x1000~~ (0.80 cfs); and from March 15 to Nov. 15 for the irrigation of 14 acres
(0.20 cfs)

within the NW 1/4, Sec. 8 (domestic); SW 1/4, Sec. 8, T. 56N, R. 2E, B.M.
(irrigation)

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
December 3, 1973

R. KEITH HIGGINSON

Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho

on Nov. 15 and Nov. 22, 1973

96 7237

November 9, 1973

Re: Application for Permit No. 96-7237 - Thomas E. Gagin, Jr.

Jack C. Ross
Department of Environmental and
Community Services
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.

Please contact us if we may be of any further assistance.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

Enclosure

96 7237

Send App & Claims & water years book

RECEIVED

AUG 28 1973

Department of Water Administration
Northern District Office

RECEIVED

AUG 27 1973

Department of Water Administration
Hope ID 83836

96-7237

ST. of Idaho

DEPT. of WATER ADMIN.

DEAR SIRs:

HAVING HAD VERY LITTLE FACTUAL
INFORMATION ON THE FUNCTION OF THE WATER
ADMIN.; I FEEL THAT I DO NEED ANY AND ALL
PUBLICATIONS PERTAINING TO THE ESTABLISHMENT
OF RIGHTS TO WATER.

I DO UNDERSTAND THAT THERE ARE
APPLICATIONS FOR PERMITS FOR WATER AND ON
OLDER AND USED SYSTEMS. YOU CAN FILE A CLAIM
TO A WATER RIGHT. I AM SURE I WILL NEED
BOTH APPLICATIONS

WOULD APPRECIATE ALL INFORMATION YOU
CAN FORWARD TO ME.

SINCERELY YOURS

Thomas E. Gagin Jr

THOMAS E. GAGIN JR

PO. Box 372

96 7237

Hope ID. 83836

Forms sent
8-29-73
cl

P.O. Box 372
HOPE Id 83836



ST. OF IDAHO
DEPT. OF WATER ADM.
STATEHOUSE - ANNEX 2
BOISE IDAHO 83707