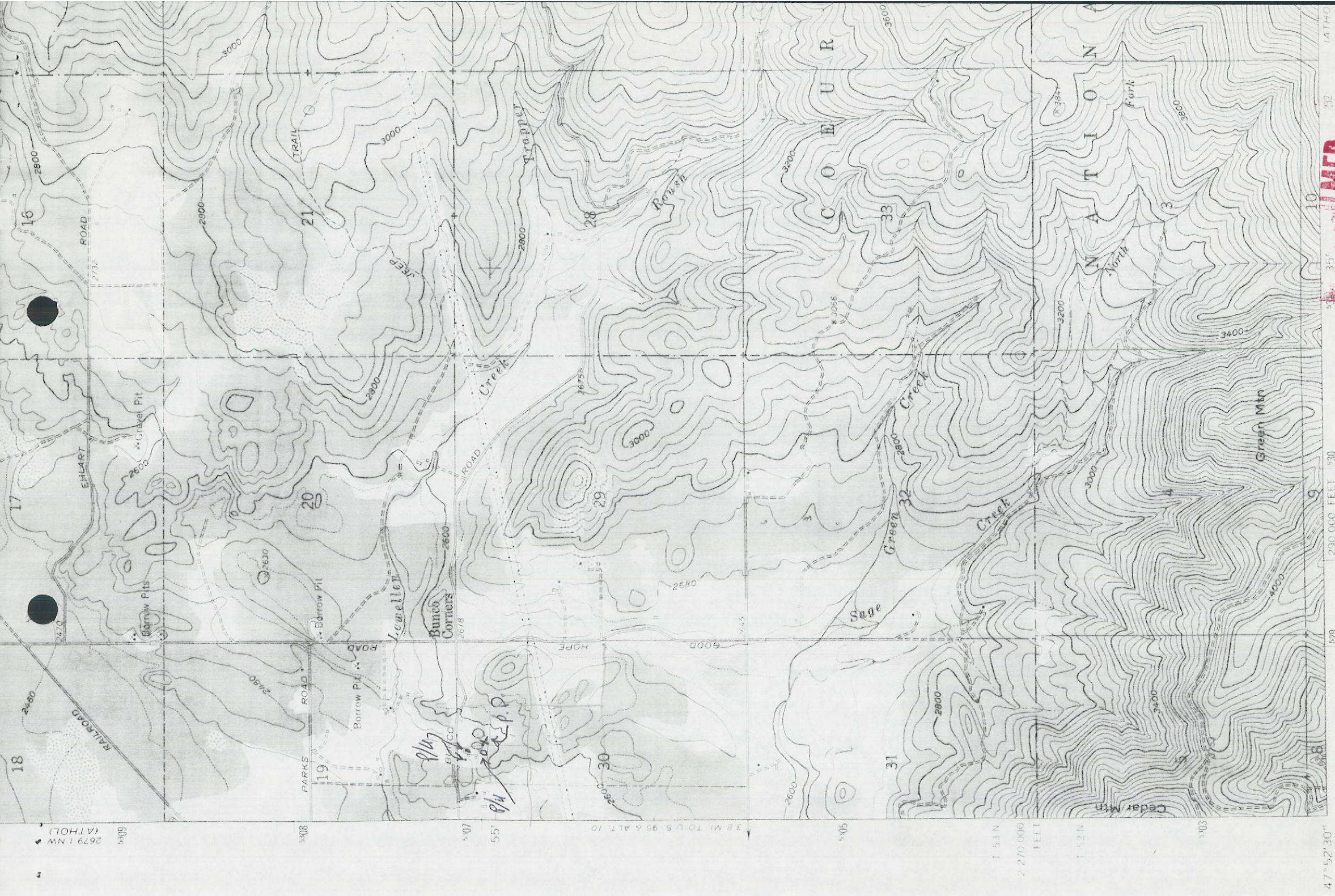




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APR 6 1988

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1958 and planetable surveys 1961
North half and southwest quarter revised from aerial
photographs taken 1965 and 1966. Field checked 1967
Selected hydrographic data compiled from USC&GS
Chart 6170 (1958)

This information is not intended for navigational
purpose

UTM GRID AND 1967 MAGNETIC NORTH
1967 MAGNETIC NORTH

CONTOUR LINES
DOTTED LINES
DATE
SOUNDINGS IN





State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-7184

Priority: June 22, 1973 Amount: .08 CFS 5.1 AFA

This is to certify, that ROSCOE M. SIZEMORE
RT. 1 BOX 79
ATHOL, ID 83801

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated June 22, 1973, and
has submitted proof to the Department of Water Resources on June 10, 1983, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .08 cfs of water from;

CLEVELAND SPRING tributary to SINKS

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Irrigation	03/15 to 11/15	.02 cfs	3.5 afa
Stockwater	01/01 to 12/31	.02 cfs	.4 afa
Domestic	01/01 to 12/31	.04 cfs	1.2 afa
Totals		.08 CFS	5.1 AFA

LOCATION OF POINT OF DIVERSION(S): NWNE , Sec. 30, Township 53N, Range 2W
Kootenai County

PLACE OF USE: Irrigation

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
53N	2W	30	NWNE	1			1

Total number of acres irrigated: 1

PLACE OF USE: Stockwater, same as Irrigation use

PLACE OF USE: Domestic, same as Irrigation use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 2 homes.

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APR 06 1988

State of Idaho
Department of Water Resources

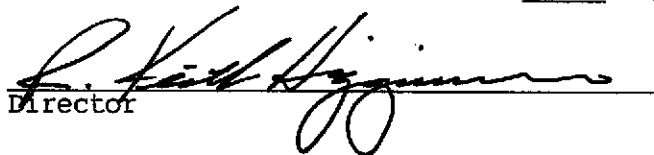
PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 96-7184

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 16th day
of October, 1987.

Director



RECORDED

APR 06 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

RECEIVED

MAY 25 1978

State of Idaho)
County of Kootenai)

Department of Water Resources
Permit No. 96-7184

Roscoe M. Sigemore of Rt #1, Box 79, Athol, Id. 83801
(name) (address)

State of Ida, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 96-7184.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before July 1, 1978.

That he has heretofore performed the following work described under said permit:
Collection box, pipeline, stock tanks, & Domestic
plumbing are installed.

Costing \$

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Not enough time to complete
installation of irrigation system

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to July 1, 1983.

Roscoe M. Sigemore
(signature) *

Subscribed and sworn before me this 23 day of May, 1978.

seal

Alta B. B.
Notary Public residing at
Turn Lake

My commission expires 8/31/82

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water is extended
to July 1, 1983.

Witness my hand this 6th day of

June, 1978.

L. Glen Saxton

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83726.

MICROFILMED

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

5/5 750
RECEIVED

MAY 16 1978 ok jp

for
I, Albert E. Cleveland, hereby assign to Roscoe M. S. S. S. S.
of Rt 1 B, 79 Athol, Id. 83801
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 96-7184
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 _____ day of _____, 19____.

Albert E. Cleveland
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Portland) ss.

On this 16 day of May, 19 78, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Sha B. B. B.
Notary Public residing at

Travis Lake

My commission expires:

8/31/80

MICROFILMED

Assigned to Lascoe M. Sizemore
5/16/78

Identification No. 96-7184

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 Albert E. &/or Mabel J. Cleveland
post office address Route #1, Box 79, Athol, Idaho
2. Source of water supply Cleveland Spring which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30 Township 53N
Range 2 W B.M. Kootenai County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.20 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.08 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)
5. Total quantity to be appropriated:
a. 0.30 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection box and pipeline to
place of use. Sprinkler system for irrigation.

- 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30 Township 53N
Range 2W 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 25

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

96 7184

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

[illegible]

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.

Albert E. Cleveland
(Applicant)

96 7184

Received by KK Date 6/22/73 Time 12:30 P.M.Preliminary check by KK Fee \$ 25.00Receipted by KK Date 6/22/73 # 10727Publication prepared by cr Date 6-29-73Published in Coeur d'Alene PressPublication dates 7-5 & 7-12-73Publication approved cr Date 7-23-73Priority ~~reduced to~~ 6-22-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 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. 96-7184, 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 July 1, 1978.
- c. Other: _____

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

Witness my hand this 27th day of July 1973.

R. Keith Hiji
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>ce</u>	<u>6-29-73</u>	Application No. <u>96-7184</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>KK</u>	<u>6/22/73</u>	In form to receipt
	<u>N/A</u>		Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>N/A</u>		☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>KK</u>	<u>6/22/73</u>	In form for advertising
(6)	<u>No</u>		Located within Water District No. _____
(7)			Critical groundwater area: yes _____ no ☒
(8)	<u>N/A</u>		Groundwater levels: ____ Decline (comment) _____ ____ Stable (comment) _____ ____ Increasing (comment) _____
(9)	<u>NONE</u>		Comments: _____
(10)	<u>ce</u>	<u>7-23-73</u>	Affidavit of Publication received (date) <u>July 20, 1973</u>
(11)	<u>ce</u>	<u>7-2-73</u>	Final date for protests <u>July 23, 1973</u> Protests received: yes _____ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>KK</u>	<u>7/23/73</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>EE</u>	<u>7/23/73</u>	Action recommended: ☒ Approve Priority <u>6/22/73</u> ☐ Deny Reason for Reduction _____ No ☒ Measuring device required ____ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>2 Northern</u>	By <u>Paul E. Smith</u>	Date <u>7/23/73</u>

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AFFIDAVIT OF PUBLICATION - COEUR D'ALENE PRESS
(WEEKLY) JUL 20 1973

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

²⁴
Department of Water Administration
Northern District Office

Callie Parntner, being first duly sworn,
deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

Thursday
newspaper on ~~Wednesdays~~; and that the
Native P Application

of which a printed copy is annexed hereto, was published in all the regular *Thursday*
weekly issues of said newspaper for *two* consecutive weeks, commencing
on the *5* day of *July*, 19 *73*, and ending on the
12 day of *July*, 19 *73*.

Callie Parntner
Subscribed and sworn to, before me, this *12* day of *July*,
19 *73*

Patrick King
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Albert E. &/or Mabel J. Cleveland, Route 1, Box 79, Athol, Idaho have on June 22, 1973 submitted Application No. 96-7184 for a permit to appropriate 0.30 cubic feet per second of water from Cleveland Spring by means of collection box, pipeline, and sprinklers within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic (0.08 cfs) and stockwatering purposes (0.02 cfs) within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, B.M.; and from March 15 to Nov. 15 for the irrigation of ten acres (0.20 cfs) within the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, 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 July 23, 1973.

R. KEITH HIGGINSON
Director

July 5, 12, 1973

96 7184

ROSCOE M. SIZEMORE
RT. 1 BOX 79
ATHOL, ID 83801

October 19, 1987

RE: Permit No. 96-7184

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
APR 06 1988

September 15, 1987

ROSCOE M. SIZEMORE
RT. 1 BOX 79
ATHOL, ID 83801

RE: Permit No. 96-7184

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

10 DAY

96-7184

Permit No.

1. **Measurement Calculations**

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

Est. Cap. as 0.08 cfs

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{1(3.5) = 3.5 \text{ AF}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{3.5 \text{ AF}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

$$\begin{aligned} DOM &= 2(.6) = 1.2 \text{ AF} \\ Stock &= 0.4 \text{ AF} / \text{TABLE} \end{aligned}$$

2. **Overlap Review**

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

MAINTAINED

APR 06 1988

RECOMMENDED AMOUNTS

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	96-7184	6-22-73	0.08	6-22-73	6-10-83	0.08

4. Permit Holder: Roscoe M. Sizemore

Address: Rt. 1 Box 79- Athol, Id. 83801

5. Source: Cleveland Spring tributary to Sinks

6. Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>IRRIGATION</u>	<u>3-15</u>	<u>11-15</u>	<u>0.02</u>	<u>3.5</u>
<u>Stock</u>	<u>1-1</u>	<u>12-31</u>	<u>0.02</u>	<u>0.4</u>
<u>Domestic</u>	<u>1-1</u>	<u>12-31</u>	<u>0.04</u>	<u>1.2</u>

Allowable Maximums: 0.08 5.1

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
		<u>NE</u>	<u>NW</u>	<u>NE</u>	<u>30</u>	<u>53 N</u>	<u>2w</u>	<u>Kootenai</u>

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
53N	2W	30		1															1
Total Acres 1																			

9. Recommended Conditions/Remarks: D/2

MICROFILMED

10. Recommended Amendments

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

APR 06 1988

11. Examiner's Signature _____ Date _____

Checked in Regional Office by _____ Date _____

Approved in State Office by Ron Howerton Date 19 Aug 87

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

AUG 18 1984

96-7184

Permit No.

CONTACT WITH PERMIT HOLDER

DATE Department of Water Resources INITIALS

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 7/17/84 Accompanied by Owner Total Q measured

Source Spring Tributary to Sink Supp. annubar measurement sheet used? no

If source is surface water, estimate total flow of source Private water

Methods of measurement Est/calc Meets permit requirements?

Measurement calculations:

$$\frac{8.8(5) 80\%}{2.33(20)+10} = 0.08 \text{ cfs}$$

Capacity for home irrigation

Irrigation is lawn & garden $\approx$ 1 acre for both homes - Lawn sprinklers & garden hose

Est 0.08 cfs capacity

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
Current.	1/2	WAYNE	CJX4					
Replacement.	1/2	Red Bull	C48J2DB11A		10181			

System Description 7' Diameter Cinderblock collection box with gravity flow 1" PVC to cistern then by pump & pipe line to homes. Over flow from catch basin to stock pond and over flow from cistern to stock tank

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.5 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Irrigation	0.02	3.5	3-15	11-15
Stock	0.02	0.4	1-1	12-31
Domestic (2)	0.04	1.2	1-1	12-31
Total	0.08	5.1		

Remarks

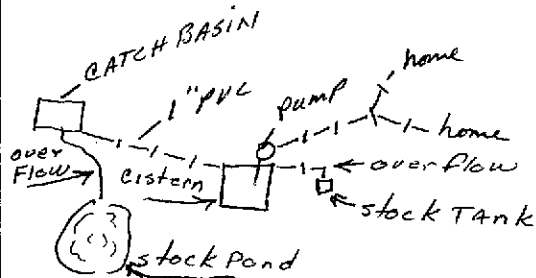
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MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE NW NE, SEC 30, T 53N, R 2W (MAP)

Place(s) of Use map

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
53N	2W	30		X 1															1

RECORDED

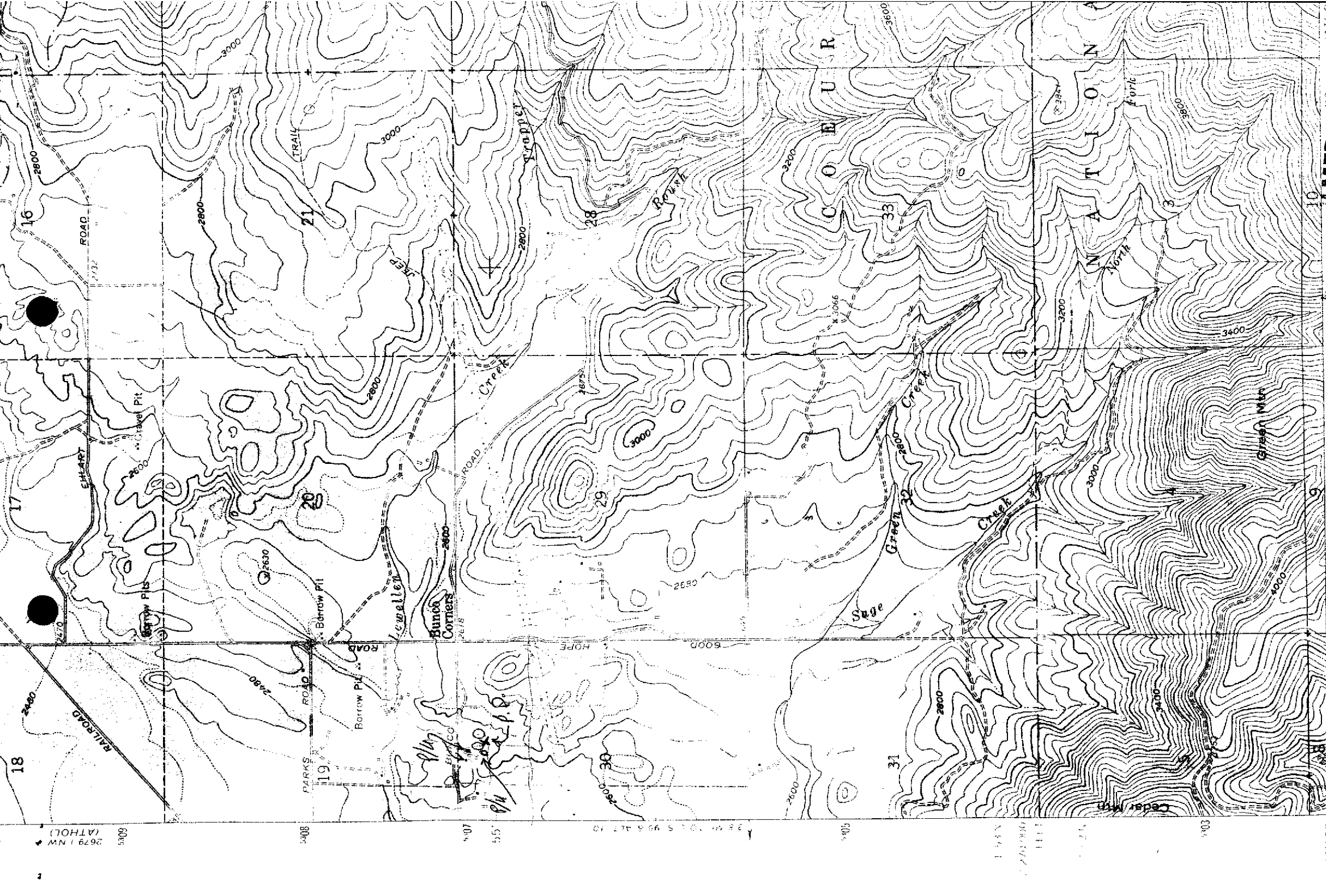
Recommended Amendments:

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

APR 06 1988

Examiner's Signature [Signature]
Checked by [Signature]
Approved by _____

Date 7/25/84
Date 8/8/84
Date _____



41°52'30"
116°37'30"

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Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1958 and planetable surveys 1961
North half and southwest quarter revised from aerial
photographs taken 1965 and 1966. Field checked 1967

Selected hydrographic data compiled from USC&GS

Chart 6170 (1968)

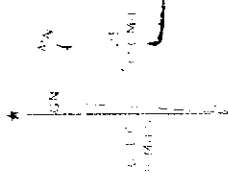
This information is not intended for navigational

hydrographic purposes. 1967 North American datum

UTM GRID AND 1967 MAGNETIC NORTH

Map is in UTM

APR 06 1988

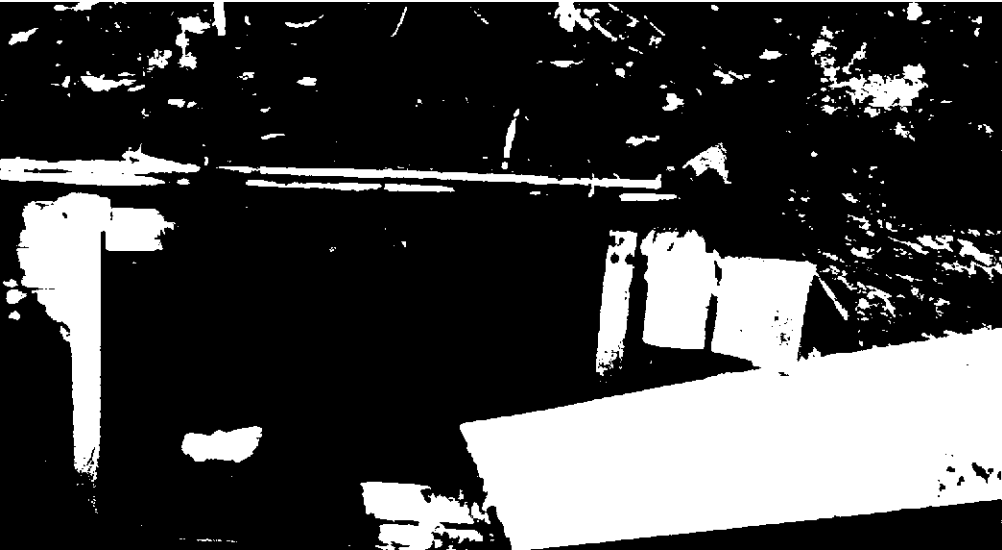


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UNITED STATES GEOLOGICAL SURVEY
WASHINGTON, D.C. 20540

B-5

96-7184

Cistern & pump



96-7184

collection Box
~~CISTER~~N

MICROFILMED

APR 06 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

SEPTEMBER 6, 1983

ROSCOE M. SIZEMORE
RT. 1 BOX 79
ATHOL ID 83801

RE: Permit No. 96-7184

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

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

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

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 96-7184

Name(s) of Permit Holder: Roscoe M Sizemore

Post Office Address: Route #1 Box 79 Athol, ID 83801

Tel. No. 683-2593

Source of Water:

Extent of Use:

- ☐ Domestic _____ (number of households)
☒ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☒ Other vegetable garden

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

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

6-7-1983
Date

R M Sizemore
Signature of Permit Holder

MICROFILMED

Rose M Sizemore
Route #1 Box 79
Athol, Id 83801

PLACE
13 CENT
STAMP
HERE

RECEIVED

JUN 10 1983



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

JUN 20 1983

EASEMENT

Record of Deeds No. 100-1000

By this document the undersigned grantors, Darryl Marc Haws and Karen Irene Haws, husband and wife, owners of a ranch of approximately 80 acres located on the northwest corner of the intersection of Bunco and Good Hope Roads in Kootenai County, State of Idaho, its legal description being S $\frac{1}{2}$ of S.E. $\frac{1}{4}$ of Section 19, township 53 North, Range 2 WBM, Kootenai County, Idaho, for a valuable consideration, do hereby grant an easement to grantees, Rosco and Avis Sizemore, husband and wife, of Athol, Idaho, to lay plastic pipe of four inches (4") in diameter or less, across or in the ground of grantors' ranch for the purpose of permitting Rosco and Avis Sizemore to be able to draw water from Lewellyn Creek pursuant to their water permit presently on file with the Idaho Department of Water Resources. Said easement shall extend from Lewellyn Creek southward across the pasture, or alongside the pasture and next to the stand of trees located south of said creek on the west side of grantors' property, to Bunco road in the most direct line feasible from grantees' property south of Bunco Road to Lewellyn Creek. Provided, that said easement shall be exercised so as not to interfere with the passage of vehicles across grantors' property, nor to interfere with the cultivation or grazing of said pasture; provided further, that pipes shall be placed in such a location as to not interfere with the fifteen (15) acres of land on the west boundary of grantors' ranch which grantors hereby declare it is their intention to sell to third parties. Any necessary appurtenances for drawing water out of said creek pursuant to this easement and giving effect to grantees' water right may also be situated upon grantors' land in such a way as to not diminish the quiet, beneficial and aesthetic enjoyment of said land by grantors or by third parties whose land may be located down-creek from grantors. It is further the intention of grantors that this easement is personal to Rosco and Avis Sizemore and shall not run with nor be appurtenant to any real property.

Dated this 7 day of May, 1983.

Darryl Marc Haws
Darryl Marc Haws

Karen Irene Haws
Karen Irene Haws

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

SIZEMORE, ROSCOE M.
RT. 1 BOX 79
ATHOL, ID 83801

138584

PROOF DUE NOTICE

APRIL 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 96-7184 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

June 7, 1978

Re: Permit No. 96-7184

Mr. Roscoe M. Sizemore
Route 1, Box 79
Athol, ID 83801

Dear Mr. Sizemore:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to July 1, 1983.

Sincerely,

Jan Grover
Water Rights Supervisor

MICROFILMED

May 23, 1978

Re: Permit No. 96-7184

Roscoe M. Sizemore
Route 1, Box 79
Athol, Idaho 83801

Dear Mr. Sizemore:

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

Please be aware that proof of beneficial use of water is due on or before July 1, 1978 on this permit. Enclosed is a copy of the proof of beneficial use due notice letter that was sent out on this water right, along with a proof affidavit and instructions.

If you have any questions regarding this matter, please contact us.

Sincerely,

JANICE RENK
Water Rights

Encl.

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 28, 1978

CERTIFIED MAIL

138652

Re: Permit No. 96-7184

Albert E. &/or Mabel J. Cleveland
Route 1, Box 79
Athol, Idaho 83801

Dear Mr. & Mrs. Cleveland:

One of the conditions of approval of your water Permit No. 96-7184 (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 July 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.


NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

MICROFILMED

July 27, 1973

Re: Permit No. 96-7184

Albert E. & Mabel J. Cleveland
Route #1, Box 79
Athol, ID 83801

Dear Mr. Cleveland:

Enclosed is a copy of your approved Application for Permit No. 96-7184. 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 7184

96 7184

June 29, 1973

Re: Application No.	95-7307	95-7310	95-4097
"	"	95-7308	96-4065
"	"	95-7309	96-4068
		96-7184	

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

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 7-23-73 by de

FE:CR

Enc: Legal Notices (9)

96 7184

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Albert E. &/or Mabel J. Cleveland,

Route #1, Box 79, Athol, Idaho

have ~~has~~ on June 22, 1973 submitted Application No. 96-7184

for a permit to appropriate 0.30 cubic feet per second ~~acres feet per annum~~

of water from Cleveland Spring

by means of collection box, pipeline, and sprinklers

within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31 for domestic (0.08 cfs) and stockwatering

~~for~~ purposes (0.02 cfs) within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, B.M.; and

from March 15 to Nov. 15 for the irrigation of ten acres (0.20 cfs)

within the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, 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 July 23, 1973.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho

on July 5 and July 12, 1973

96 7184

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Albert E. &/or Mabel J. Cleveland, Route 1, Box 79, Athol, Idaho have on June 22, 1973 submitted Application No. 96-7184 for a permit to appropriate 0.30 cubic feet per second of water from Cleveland Spring by means of collection box, pipeline, and sprinklers within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic (0.08 cfs) and stockwatering purposes (0.02 cfs) within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, B.M.; and from March 15 to Nov. 15 for the irrigation of ten acres (0.20 cfs) within the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 53N, R. 2W, 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 July 23, 1973.

R. KEITH HIGGINSON
Director

July 5, 12, 1973

OK.
7-10-73
de

96-7184