

Affidavit of Publication

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

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 unin-
terruptedly 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 Clarence &/or Olive P.
Hart, N. 7109 Sutherlin, Spokane, Wash.,
Application No. 96-7180.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 14th
day of June, 19 73, and end-
ing on the 21st day of June,
19 73, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

21st day of June, 19 73.

Chyeis Bone

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

JUN 22 1973

Department of Water Administration
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Clarence &-or Olive P. Hart,
N. 7109 Sutherlin, Spokane,
Washington have on June 4,
1973 submitted Application No.
96-7180 for a permit to ap-
propriate 0.04 cubic feet
per second of water from a
ground water source by means
of well and pump within the
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 57N,
R. 1W, B.M., Bonner County
to be used from Jan. 1 to Dec.
31 for domestic purposes with-
in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T.
57N, R. 1W, 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
2, 1973.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint, Ida-
ho on June 14 and June 21, 1973.
Jel4-21

96 7180

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7180 Priority June 4, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that CLARENCE &/or OLIVE P. HART
of Spokane, Washington, has complied with the terms and conditions of Permit
No. 96-7180 issued pursuant to Application for Permit dated June 4, 1973,
and has submitted proof to the Department of Water Resources on June 10, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.04</u> cfs and <u>1.2</u> acre feet			
from _____ to _____ at _____ cfs and _____			
from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NE¹/₄NE¹/₄ of Sec. 4,
Twp. 57 N, Rge. 1 W, B.M. in the County of Bonner

Description and location of 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	
57 N	1 W	4	X																

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25 day of
August, 19 75.

Director

Identification No. 96-7180

Application No. _____

STATE OF IDAHO

LICENSE ISSUED FOR 04 SEC. PT.
LICENSE PAGE NO. _____

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 Clarence &/or Olive P. Hart PH: FA7-8925
post office address N. 7109 Sutherlin, Spokane, WA 99208
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 57N
Range 1W 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 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well and pump.

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 6 inches; proposed depth of well is 140 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 2600.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4 Township 57N
Range 1W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

96 7180

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

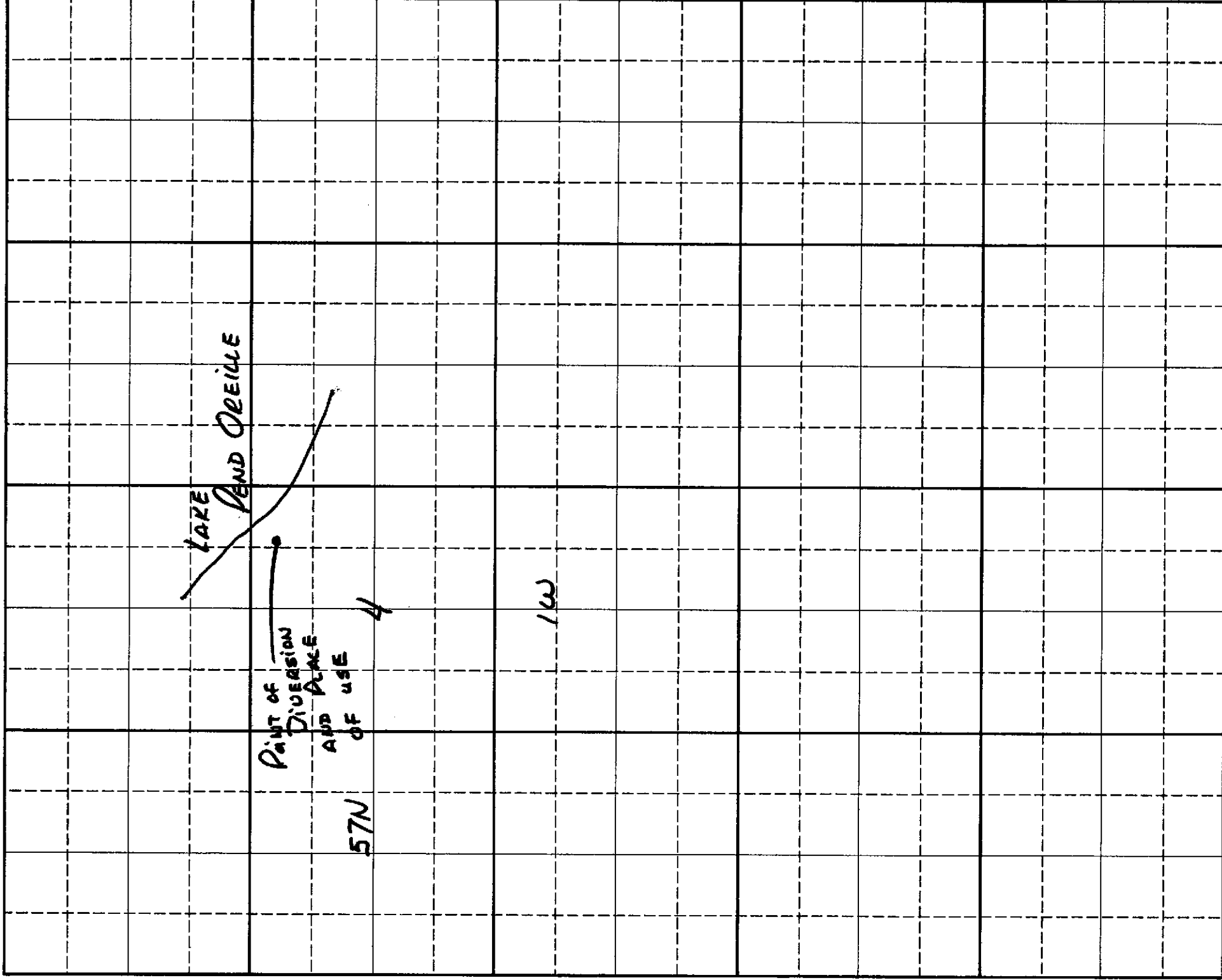
Total number of acres to be irrigated_____

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

9. a. Who owns the property at the point of diversion Applicants
- b. Who owns the land to be irrigated or place of use Applicants
- 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 Place of use and point of diversion more closely described as: SE¹/₂, lot 5,
Warren's Lakeshore Lots, Bottle Bay, Lake Pend Oreille.

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.

Clarence Hart
(Applicant)

Received by cl Date 6-4-73 Time 11:30 A.M.

Preliminary check by FE Fee \$10.00 #10697

Received by cl Date 6-4-73

Publication prepared by cr Date 6-8-73

Published in Sandpoint News-Bulletin

Publication dates 6-14 & 6-21-73

Publication approved cl Date 6-25-73

Priority ~~reduced to~~ 6-4-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JSS

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. 96-7180, 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 August 1, 1974.

c. Other: _____

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

Witness my hand this 6th day of July, 1973.

R. Keith Higgins
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FL</u>	<u>6/5/73</u>	Application No. <u>96-7180</u> Name <u>Clarence ¹/_{or} Olive P. Hart</u>
(2)	<u>FL</u>	<u>6/6/73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			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.
(5)	<u>FL</u>	<u>6/6/73</u>	In form for advertising <u>O.K.</u>
(6)	<u>CL</u>	<u>6-25-73</u>	Affidavit of Publication received <u>JUNE 22, 1973</u>
(7)	<u>CL</u>	<u>6-8-73</u>	Final date for protests <u>JULY 2, 1973</u> Protests received: yes <u> </u> no <u>✓</u>
(8)			Date and Place of hearing <u> </u> Decision reached at hearing <u> </u>
(9)			Located within Water District No. <u> </u>
(10)	<u>FL</u>	<u>7/2/73</u>	Critical groundwater area: yes <u> </u> no <u>✓</u>
(11)	<u>FL</u>	<u>7/2/73</u>	Groundwater levels: ☐ Decline (comment) <u> </u> ☒ Stable (comment) <u> </u> ☐ Increasing (comment) <u> </u>
(12)			Comments: <u> </u> <u> </u> <u> </u>
(13)	<u>FL</u>	<u>7/2/73</u>	Action recommended: ☒ Approve ☐ Deny Priority <u>6/4/73</u> Reason for Reduction <u> </u> See attached sheet for conditions of approval
	<u>FL</u>	<u>7/2/73</u>	No conditions for approval
(14)			District <u>Nathan</u> By <u>Fred Emmert</u> Date <u>7/2/73</u> Title <u>Tech. ST</u>

JUL 5 1973

OG 7409

Affidavit of Publication

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

RECEIVED

JUN 22 1973

Department of Water Administration
Northern District Office

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oath deposes and says that he is Publisher
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Bonner County, Idaho; that the said Sandpoint
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prior to the first publication of the hereto
attached notice for publication in the case of
Notice of Application For Water Permit,
submitted by Clarence &/or Olive P.
Hart, N. 7109 Sutherlin, Spokane, Wash.,
Application No. 96-7180.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 14th
day of June, 19 73, and end-
ing on the 21st day of June,
19 73, and that said notice was published in said
newspaper, and not in supplemental form.

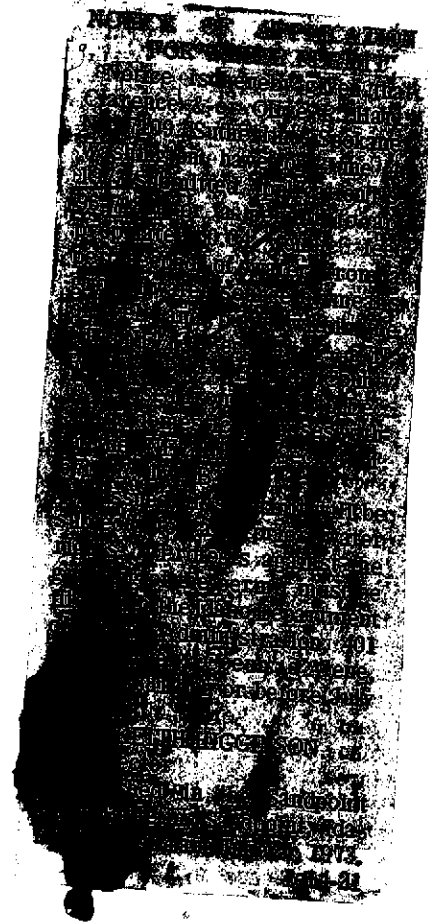
L. E. Pietsch

Subscribed and sworn to before me this

21st day of June, 19 73

Cheryl Grace

Notary Public for Idaho,
Residing at Sandpoint, Idaho.



96 7180

August 26, 1975

Re: Permit No. 96-7180

Clarence &/or Olive P. Hart
N. 7109 Sutherlin
Spokane, WA 99208

Dear Mr. & Mrs. Hart:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

C
O
P
Y

RECEIVED
AUG 27 1975

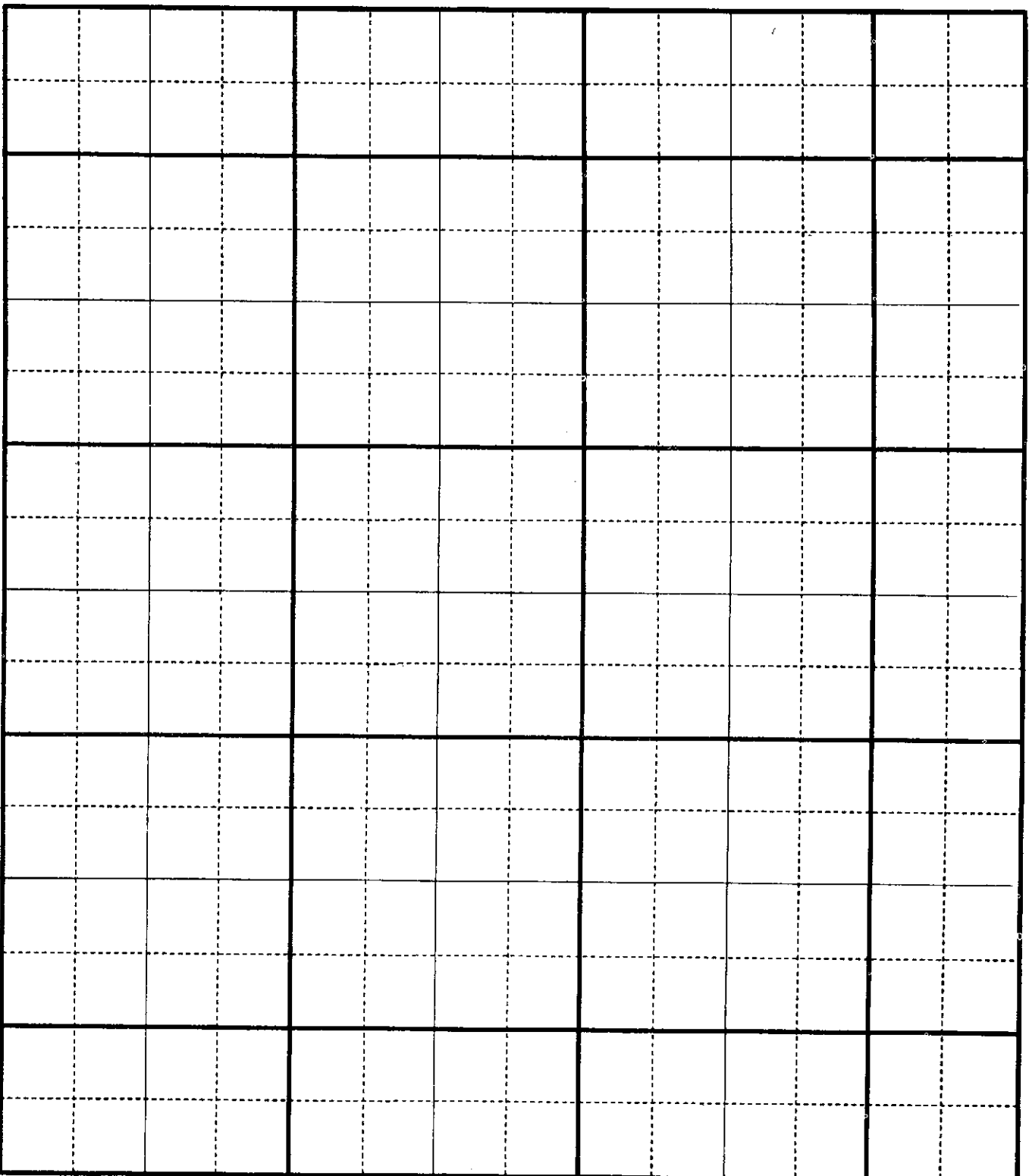


Diagram of System

DATE OF EXAM 8/13/75

ACREAGE

Found 1/2 acre of lawn and garden
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 0.04 cfs Method of measurement estimated

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

Total V recommended 1.2 a.f. / year

Recommended Amendments:

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

MEASUREMENT CALCULATION:

estimated by pump and meter

SYSTEM DESCRIPTION:

Submersible pump and motor
1 hp
6" well approx. 140' deep

REMARKS:

Domestic purposes for 1 household

Examiner's Signature Lud. Cantor Date 8/13/75

Checked by W. E. Black Date 8/18/75

Approved by _____ Date _____

June 11, 1974

Re: Permit No. 96-7180

Clarence &/or Olive P. Hart'
N. 7109 Sutherlin
Spokane, Washington 99208

Dear Mr. & Mrs. Hart:

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.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

96-7180

Identification No. 96-780

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

JUN 10 1974

Department of Water Administration

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder CLARENCE AND/OR OLIVE P. HART
 b) Post Office Address N 7109 SUTHERLIN SPOKANE WA 99208
 2. Permit Number 96-7180

3. Date of Priority that you are prepared to establish June 4, 19734. a) Source from which water was appropriated GROUND WATERb) Location of the point of diversion: NE 1/4 NE 1/4, Section 4Township 57 N, Range 1 W Boise Meridian, Other points of diversion: Nonebut more exact location is: WARRENS LAKE SHORE LOTS, BOTTLE BAT, BLOCK 1, SE 1/2 OF LOT 5 Lake Park Circle Idaho

5. a) The amount of water and use to which the water has been applied:

amount 0.04 for Domestic purposes from Jan 1 to Dec 31 incl.

(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

intermittently throughout each year, with most heavy use in spring, summer and fall.

amount _____ for _____ purposes from _____ to _____ incl.

(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.

(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated estimate 2400 gals/mo. ~~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 qualifica-

tions of the person making the measurement: estimate: 2 Bk Room home with washer, dryer, Dishwasher, Tub & shower, shower & flange, estimated to be occupied 20 days each mo. by 2 or more people. Domestic use approx month times gallons per month. Estimated by applicant.

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: Not applicableb) Describe the agreement or understanding by which you take water from the works: Not applicable

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) Pump, 1 HP, REDA MODEL1709 P101, 230 V, 1 Phase, 60 cycle, 6 inch casing, 140 feet deep. 1 1/4 pipe to house and hydrantsb) Describe the type and size of measuring device which you have installed at your point of diversion: None - use is domestic.

c) Give well drillers name and address and date the well was completed

ARUA DRILLINGCoeur d'Alene, IdahoPump installed July 16, 1973Exam typed 6/11/74 by ja

96-7180

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use See 5 c above

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: only for lawn, shrubs, flowers, etc in summer, but not yet completely employed.

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	

Total number of acres irrigated _____

10. Remarks: _____

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

June 7, 1974
(Date)

Clarence Hart
(Signature)

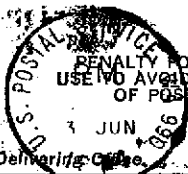
State of Washington)
County of Spokane) ss.

On this 7th day of June, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Spokane, County of Spokane,
State of Washington

My commission expires August 1, 1976

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office.

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE • ANNEX #2
BOISE, IDAHO 83707

PS Form 3811
June 1973

96-7180

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

25466

INSURED NO.

DATE DELIVERED

6.3.74

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT IF ANY

Clarence Hart

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

96-780

May 31, 1974 CERTIFIED MAIL

#25466

Re: Permit No. 96-7180

Clarence &/or Olive P. Hart
N. 7109 Sutherland
Spokane, Washington 99208

Dear Mr. & Mrs. Hart:

One of the conditions of approval of your water Permit No. 96-7180 (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 August 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

96-7180

July 9, 1973

Re: Permit No. 96-7180

Mr. Clarence Hart
N. 7109 Sutherlin
Spokane, WA 99208

Dear Mr. Hart:

Enclosed is a copy of your approved Application for Permit No. 96-7180. 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 7180

June 8, 1973

Re: Application No. 96-7179 - Pack River Properties, Inc.
" " 96-7180 - Clarence &/or Olive P. Hart
" " 96-7181 - Mark Moulton &/or Charlotte Bell
Claim No. 96-4062 - William B. Petty

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 6-25-73 by CR

FE:CR

Enc: Legal Notices (4)

96 7180

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

Address _____

Name of Advertiser _____

Ad No. _____ Ad Size: _____ x _____

Caption Notice of Application for
Water Permit

Insertion Dates: June 14, 21

Copy: _____

№ 7328

6-14-73

DATE _____

Type of Advertising

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

Clarence & or Olive P. Hart

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

SANDPOINT NEWS-BULLETIN

Olive P. Hart

Total Space 32 lines x 36¢ = \$ 11.52

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Clarence &/or Olive P. Hart,
N. 7109 Sutherland, Spokane, Washington

~~have~~
~~xxx~~ has on June 4, 1973 submitted Application No. 96-7180
for a permit to appropriate 0.04 cubic feet per second ~~acre feet per annum~~
of water from a ground water source
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within the NE1/4, Sec. 4, T. 57N, R. 1W, B.M., Bonner County

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for domestic purposes

within the NE1/4, Sec. 4, T. 57N, R. 1W, 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 2, 1973.

R. KEITH HIGGINSON

Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho
on June 14 and June 21, 1973

96 7180