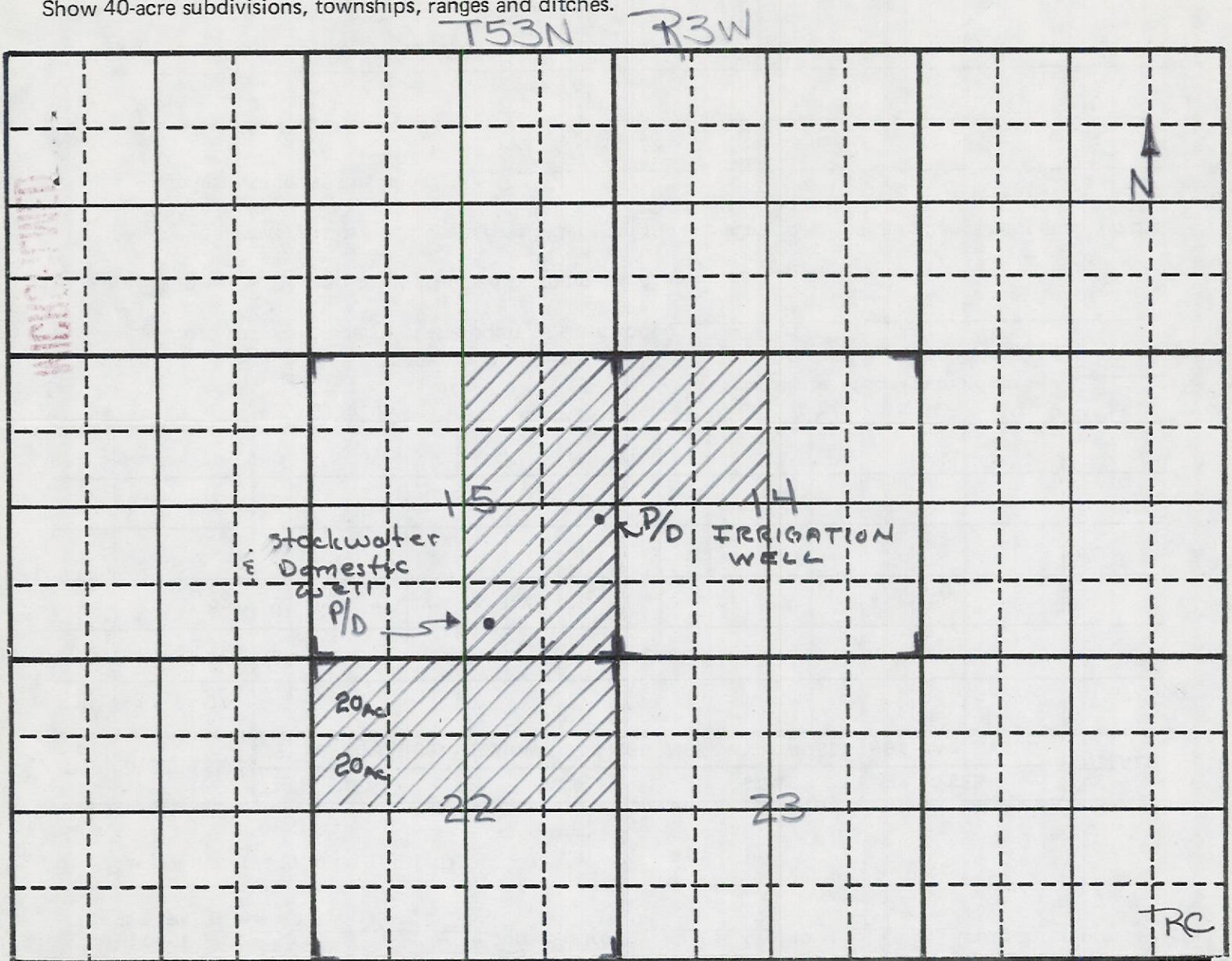


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



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 WALLACE, IDAHO, this 6 day of November, 19 81.

X Garry Huggins
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jim Fee = \$20.00

Received by sp Date 11-24-81

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

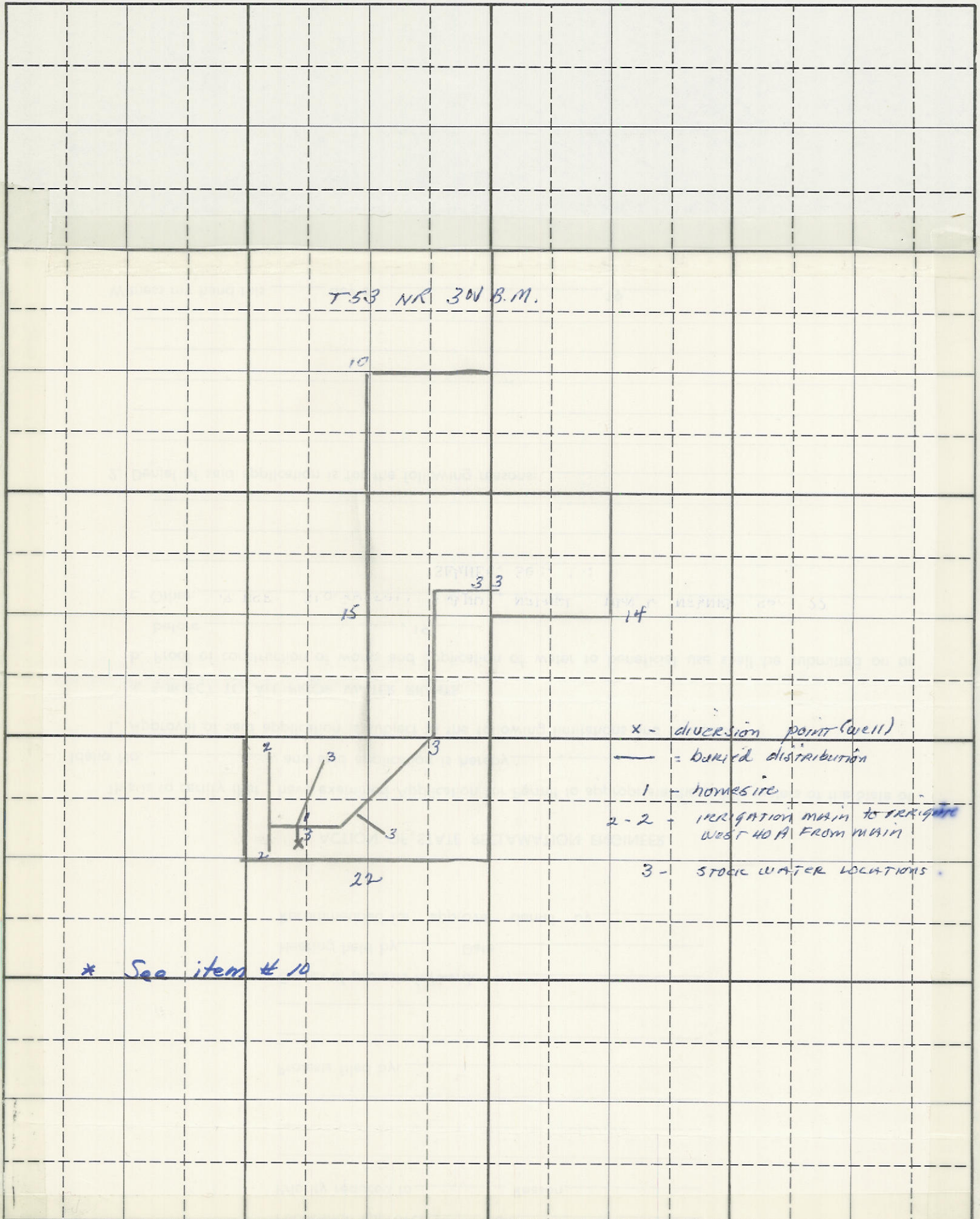
APPROVE the above Application for Amendment of Permit No. 96-7172. ok Jim

Witness my hand this 29 day of January, 19 82.

A. Kenneth Dunn
Director

MICROFILMED

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.

Wendy Thompson
(Applicant)

CS 7172

PLEASE NOTE

This water right is currently involved in an adjudication procedure. Insure that the regional office is notified of any changes or correspondence.

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7172 Priority April 24, 1973 Amount 1.0 cfs

THIS IS TO CERTIFY, that Harry F. &/or Colleen B. Magnuson
of Wallace, Idaho, has complied with the terms and conditions of Permit
No. 96-7172 issued pursuant to Application for Permit dated April 24, 1973,
and has submitted proof to the Department of Water Resources on May 31, 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 6.88 cfs of water from a groundwater 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
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.16</u> cfs and	<u>11.0</u> acre feet
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
Irrigation	from <u>April 15</u> to <u>October 15</u>	at <u>0.80</u> cfs and	<u>140.0</u> acre feet
(both dates inclusive)			

Subject, however, to the condition that no more than 1.0 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
152.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section
15, Twp. 53N, Rge. 3W in the County of Kootenai

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 $\frac{1}{4}$	
53N	3W	14					X	X	X	X									
		15	X	X	X	X									X	X	X	X	
		22	X	X	X	X	X	X	X	X									
		22						20	20										40

Total number of acres irrigated 40

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 29 day of
January, 19 82.

Director

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

RECEIVED
NOV 12 1981
Department of Water Resources

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

Comes now Harry F. &/or Colleen B. Magnuson

of (address) Wallace, 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. 96-7172, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ SE ¼, Section 15, Township 53N, Range 3W, B.M.,
County of Kootenai. Other points of diversion: NE¼SE¼, Sec. 15, Twp. 53N,
Rge. 3W

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

Amount 0.80 for Irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.16 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (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	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
53N	3W	14					X	X	X	X									
		15	X	X	X	X									X	X	X	X	
		22	X	X	X	X	X	X	X	X									
		22						20	20										40

Total number of acres to be irrigated = 40

- a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or the 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: _____

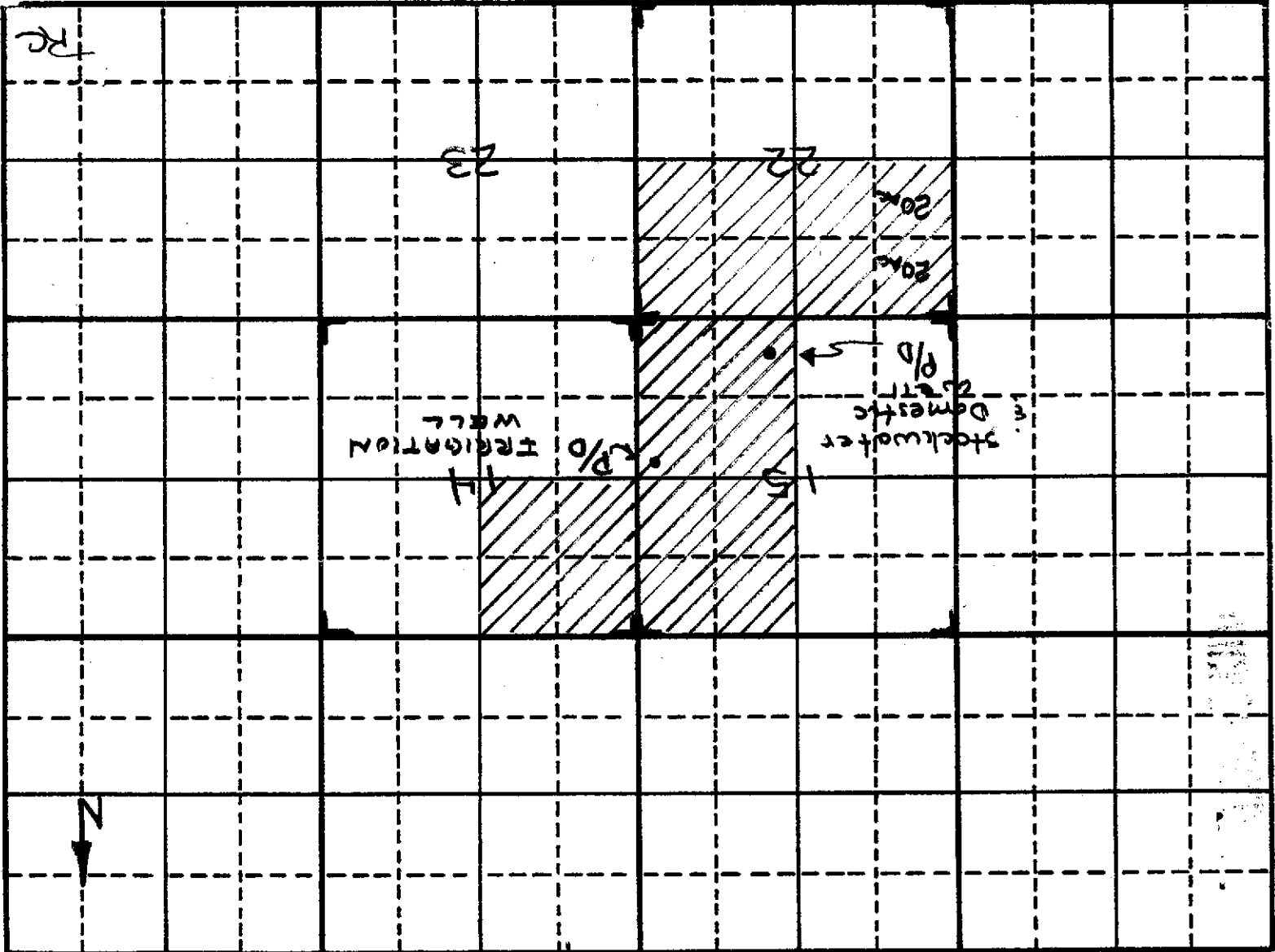
MICROFILMED

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

T53N R3W



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 WILLIAMS, NORTH, this 6 day of November, 19 81.

(Signature)

[Signature]

FOR DEPARTMENT USE ONLY

20593

Fee = \$20.00

Received by *[Signature]* Date 11-24-81

Publication prepared by *[Signature]* Date N/A

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. 96-7172.

Witness my hand this 29 day of January, 19 82.

Director

[Signature]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING DEVICE }
REQUIREMENT FOR PERMIT NO. 96-7172 IN THE NAME }
OF HARRY F. AND/OR COLLEEN B. MAGNUSON }

ORDER

WHEREAS, on April 24, 1973, Harry F. and/or Colleen B. Magnuson applied to the Department of Water Resources for a permit to appropriate 1.00 cubic feet per second of water from a groundwater source to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Twp. 53N, Rge. 3W B.M., Kootenai County, to be used for irrigation, domestic and stockwater purposes; and,

WHEREAS, on May 29, 1973, the Department approved said application and issued Permit No. 96-7127 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1974, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on May 23, 1974, the Department received a request to extend the time within which to submit proof of beneficial use of water on June 1, 1979 and it was granted; and,

WHEREAS, on November 22, 1978, the Department notified the permit holders that the requirements for a measuring device has changed to: "... either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department."; and,

WHEREAS, on May 31, 1979, the permit holders submitted the statement of application of water to beneficial use and an explanatory letter, both indicating that no water is being used under the permit for irrigation purposes; and,

WHEREAS, it has been determined by the Department that a measuring device, an access port, or a measurement by a professional engineer is not required at this time for a determination of the quantity of water appropriated under this permit;

MICROFILMED

IT IS, THEREFORE, HEREBY ORDERED that the condition requiring
installation of an access port or measuring device, or measurement by
a professional engineer, be and is, REMOVED from Permit No. 96-7172.

Dated this 14th day of June, 1979.

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 96-7172 }

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

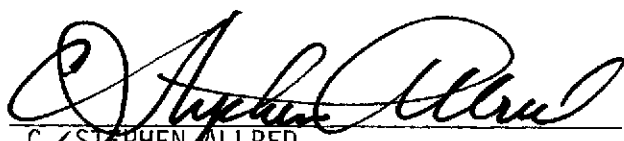
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

1
STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

MAY 23 1974

APPLICATION FOR EXTENSION OF TIME

Department of Water Administration
Northern District Office

State of Idaho)
County of Kootenai)

Permit No. 96-7172

Harry F &/or Colleen B. Magnuson of Box 469, Wallace, Idaho 83873
(name) (address)

State of Idaho, 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. 96-7172.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1, 19 74.

That he has heretofore performed the following work described under said permit:

1 - Completed 8 inch diameter well to a depth of 410 ft providing adequate water
for purposes and amount requested. 2 - In process of completing pumping
station and 15,000 ft of distribution lines.

to date -
Costing \$Approx. \$20,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Ground development, farming, and site useage preparation
delayed due to ground conditions, recommended sound farming practices and
delayed well drilling preclude as early completion, useage, and proof of same by
June 1, 1974.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to June 1, 19 79.

Colleen B. Magnuson
(signature) *

Subscribed and sworn before me this 20th day of May, 19 74.

seal

Barbara Jefferson
(notary public)

My commission expires 1/15/78

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 96-7172 to June 1, 1979.

Witness my hand this 4 day of June, 19 74.

R. Keith Higgins
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

96-7172

Identification No. 96-7172

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 Harry F. and/or Colleen B. Magnuson
post office address Box 469, Wallace, Idaho 83873
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 53N
Range 3W 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 0.8 for Irrigation purpose from April 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.16 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. deep well, turbine and portable
sprinkler irrigation system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 450 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 \$ 20,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 53N
Range 3W B.M. (SEE MAP & Remarks)
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered up to 800 head cattle (mature) with
production calves and yearling replacements.
(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 7172

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	
53N	3W	22						20	20										40

Total number of acres to be irrigated 40

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

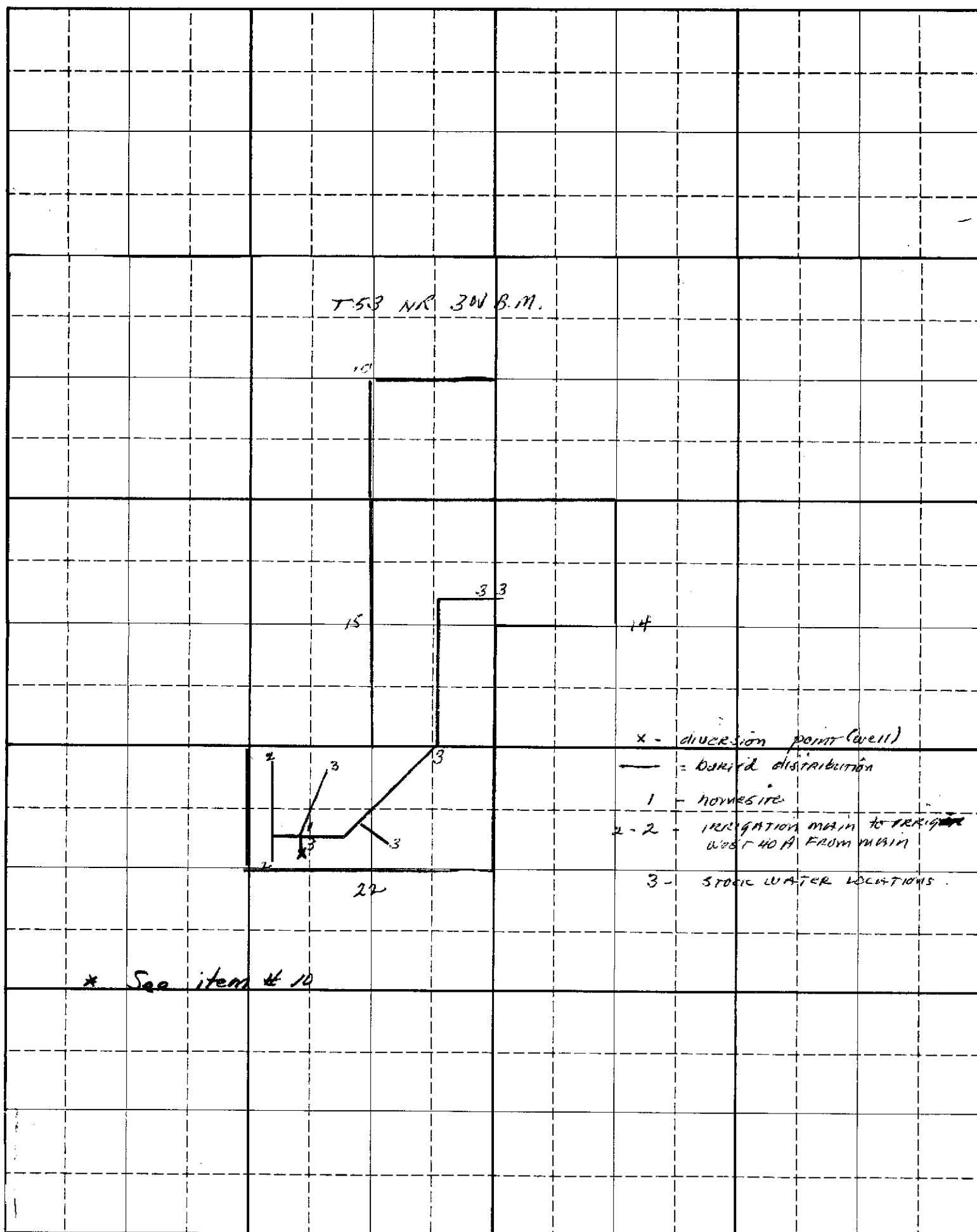
9. a. Who owns the property at the point of diversion Applicants
- b. Who owns the land to be irrigated or place of use Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks PLACE OF USE: Stockwater: SW¼NW¼, NE¼NW¼, SW¼NE¼, NE¼NE¼, Sec. 22;
SE¼NE¼, Sec. 15;
SW¼NW¼, Sec. 14,
all in T. 53N, R. 3W, B.M.

Domestic: SW¼NW¼, Sec. 22, T. 53N, R. 3W, B.M.

Irrigation: W¼NW¼, Sec. 22, T. 53N, R. 3W, B.M.

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.

Wm. H. Huggins
(Applicant)

3 7172

Proposed priority: 4/24/1973

Received by cc Date 4-24-73 Time 1:10 p
Preliminary check by B Fee \$25.00 (per)
Received by B Date 4-24-73 # 10632
Publication prepared by cc Date 4-27-73
Published in Coeur d'Alene Press
Publication dates 5-3 & 5-10-73
Publication approved cc Date 5-14-73
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by BJF

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. 96-7172, 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 June 1, 19 74.

c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 29th day of May, 19 73.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>DB</u>	<u>4-24-73</u>	Application No. <u>96-7172</u> Name <u>Harry F Magnuson</u>
(2)	<u>DB</u>	<u>4-24-73</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)	<u>DB</u>	<u>4-24-73</u>	Send copies to: <u>N/A</u> ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>DB</u>	<u>4-24-73</u>	☐ Request Special Use Permit from U.S.F.S. <u>N/A</u> ☐ Request Easement from B.L.M.
(5)	<u>FE</u>	<u>4/25/73</u>	In form for advertising <u>O.K.</u>
(6)	<u>CR</u>	<u>5-14-73</u>	Affidavit of Publication received <u>May 14, 1973</u>
(7)	<u>CR</u>	<u>4-27-73</u>	Final date for protests <u>May 21, 1973</u> Protests received: yes <u>no</u> ☒
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)	<u>FE</u>	<u>5/22/73</u>	Critical groundwater area: yes <u>no</u> ☒
(11)	<u>FE</u>	<u>5/22/73</u>	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	<u>FE</u>	<u>5/22/73</u>	Action recommended: ☒ Approve Priority <u>4/24/73</u> ☐ Deny Reason for Reduction _____ <u>FE</u> <u>5/22/73</u> See attached sheet for conditions of approval _____ No conditions for approval
(14)	<u>FE</u>	<u>5/22/73</u>	District <u>Northern</u> By <u>Paul G. [Signature]</u> Date <u>5/22/73</u> Title <u>Tech. [Signature]</u>

96 7172

RECOMMENDEDCONDITIONS OF APPROVAL

- ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

RECEIVED

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY) MAY 14 1973

STATE OF IDAHO,

County of Kootenai,

ss.

Department of Water Administration
Northern District Office

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

newspaper on Wednesdays; and that the

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for two consecutive weeks, commencing

on the 3 day of May, 1973, and ending on the

10 day of May, 1973

Subscribed and sworn to, before me, this 10 day of May,

19 73

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Harry F. &/or Colleen B. Magnuson, Box 469, Wallace, Idaho have on April 24, 1973 submitted Application No. 96-7172 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well and sprinklers within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M., Kootenai County to be used from April 15 to Oct. 15 for the irrigation of 40 acres (0.8 cfs), within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M.; and from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs), within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M.; and stockwatering purposes (0.16 cfs), within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 53N, R. 3W, 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 May 21, 1973.

R. KEITH HIGGINSON
Director

May 3, 10, 1973

96 7172

February 9, 1982

RE: Permit No. 95-7172

Harry F. &/or Colleen B. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. and Mrs. Magnuson:

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. Also enclosed is Departmental Receipt No. 20593 in the amount of \$20.00.

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

MICROFILMED

RECEIVED

NOV 12 1981

ANSON & SWENEY

ATTORNEYS AND COUNSELLORS AT LAW

SHOSHONE BUILDING

P.O. BOX 418

WALLACE, IDAHO 83873

(208) 556-1134

Department of Water Resources

COEUR D'ALENE OFFICE:
307 ELDER BUILDING
402 SHERMAN AVENUE
COEUR D'ALENE, IDAHO 83814
(208) 664-1504

EDWARD J. ANSON
RICHARD WAYNE SWENEY

November 6, 1981

Mr. Jim Johnson
Water Distribution Supervisor
Department of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720

Re: H. F. Magnuson; Water Permit No. 96-7172

Dear Mr. Johnson:

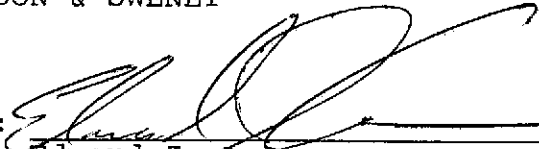
Pursuant to our telephone conversation, please find enclosed an amended application for a water license and a check drawn in the sum of \$20.00 as payment of the relevant filing fee. From our telephone conversation, it is my understanding that the condition that you initially proposed in your letter to Mr. Magnuson dated October 8, 1981 will be withdrawn and will not appear on the license.

I enjoyed our conversation and I would like to thank you for your cooperation. The license may be mailed directly to Mr. Magnuson at P. O. Box 469, Wallace, Idaho. If you have any questions please do not hesitate to contact me.

Sincerely,

ANSON & SWENEY

BY:


Edward J. Anson

EJA/jdc
enc.

cc: H. F. Magnuson

MICROFILMED

RECEIVED

OCT 26 1981

ANSON & SWENEY
ATTORNEYS AND COUNSELLORS AT LAW
SHOSHONE BUILDING
P.O. BOX 418
WALLACE, IDAHO 83873
—
(208) 556-1134

EDWARD J. ANSON
RICHARD WAYNE SWENEY

Department of Water Resources

COEUR D'ALENE OFFICE:
307 ELDER BUILDING
402 SHERMAN AVENUE
COEUR D'ALENE, IDAHO 83814
(208) 664-1504

October 21, 1981

Mr. Jim Johnson
Water Distribution Supervisor
Department of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720

RE: Permit No. 96-7172

Dear Mr. Johnson:

This firm represents Harry and Colleen Magnuson in connection with the above referenced water permit. On October 13, 1981 the Magnusons received your letter dated October 8, 1981 regarding this matter.

We have but one question regarding your letter. Your letter indicates that the license to be granted in this matter will be for a water right of 1.0 cfs, subject to the condition that when combined with license No. 96-7171 the right will not provide more than 6.68 cfs. It is this last condition that we question.

License No. 96-7171, granted for 6.68 cfs, pertains to a different well located in a different location providing irrigation water to land located in Sections 14 and 15, Range 3 West BM, Township 53 North. This pending license provides water for three different purposes: 0.8 cfs for irrigation of different land located in Section 22; 0.04 cfs for domestic use; and 0.16 cfs for stock water. None of these uses overlap with the uses pursuant to license No. 96-7171. It is our thought that a license pursuant to permit No. 96-7172 should be granted as per your letter with the elimination of the condition therein contained.

Please feel free to contact me at your earliest convenience.

Sincerely,

ANSON & SWENEY

BY:

Edward J. Anson

EJA/jdc

cc: H. F. Magnuson

96-7171

MICROFILMED

ANSON & SWENEY

ATTORNEYS AND COUNSELLORS AT LAW

SHOSHONE BUILDING

P.O. BOX 418

WALLACE, IDAHO 83873



Mr. Jim Johnson
Water Distribution Supervisor
Department of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720



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

October 8, 1981

RE: Permit No. 96-7172

Harry F. &/or Colleen B. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. and Mrs. Magnuson:

A representative of this Department made an examination of the works covered by your Permit No. 96-7172, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 1.0 cfs Source: a groundwater source

The maximum quantity diverted shall not exceed 162.2 acre feet per year.

Point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, Twp. 53N, Rge. 3W, Kootenai County.

Beneficial use: Stockwater and Domestic purposes within NW $\frac{1}{4}$, Sec. 14; E $\frac{1}{2}$, Sec. 15; N $\frac{1}{2}$, Sec. 22; Twp. 53N, Rge. 3W and Irrigation purposes within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22 for 40 acres.

Priority date established: April 24, 1973

Conditions (if any): This right when combined with License 96-7171 shall not provide more than 6.68 cfs.

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,

JIM JOHNSON
Water Distribution Supervisor

WATER

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUN 10 1980

96-7172

Permit No.

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	7-13-79	JK	
☐ Telephone call made:	5-7-80	JK	753-7391 No answer
(List Telephone No. used)	5-8-80	JK	" " " "
	5-9-80	JK	" " " "
☐ Appointment scheduled for:			
(Date, time, location)	5-12-80	JK	Contacted Judy Simsich (caretaker)

EXAMINATION

Date 5-12-80 Accompanied by J. Simsich Total Q measured * None
If source is surface water, estimate total flow of source —
Methods of measurement * None Meets Permit requirements? Yes

* IRRIGATION MEASUREMENT MADE IN FIELD EXAM FOR LIC. 96-7171

Measurement calculations:								
Stack 800-1000 ft	0.16 cfs	✓	11.0 AFA/ANN	✓				
Dom one	0.04 " ✓		1.2 " ✓					
Well #1 in SWSE 1/4 Sec 15	0.20 " ✓		12.2 " ✓					
Assume the capacity of 0.2 cfs because								

IRRIGATION:
40 AC X .02 = 0.8 cfs
0.8 X 1.4835 X 185 = 290.4 AFA/ANN
40 X 3.5 = 140 AFA/ANN

The size of the submersible pump cannot be determined. 0.2 cfs is the total use from the #1 well.

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
Storage pump	1/2	558608		Cornell	17654	1 1/2 W 7 1/2-2		
Pump NWSE 1/4 Sec 15	400	JAGS38	Hayne Bower		73-07698	Mcrometer	good	main pump
Booster	150	Marathon	AN 9694-503-1		73-19692	"	"	

System Description 8" X 450' Well, sub. pump. with lines to stock tanks. 1/2 hp booster pump to storage then to stock tanks & home

*Code with map on reverse side. Disregard code if only one. TOTAL well in SWSE 1/4 Sec 15 0.2 cfs
CAPACITY well in NWSE 1/4 Sec 15 0.68 cfs
6.88 cfs

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Stock	0.16 ✓	11.0 ✓	1/1	12-31
Domestic	0.04	1.2 ✓	1-1	12-31
IRRIGATION	0.8	140.0	4/15	10/15
Total	1.0 ✓	152.2 ✓		

Remarks Found irrigation from well located within the NWSE, Sec. 15, (covered under 96-7171)

* PERMIT holder applied for irrigation under this permit which even though the water is supplied from different well than the domestic and stockwater use, it should be included on this field exam. The well was measured during field exam made on permit 96-7171.

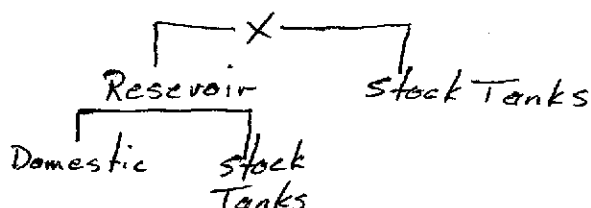
No OVERLAP w/ 96-7171 license of this permit - No other water were found on record June 10/6/81

MAP (Attach Aerial Photo)

[illegible]

SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: S45E Sec 15, 53N, R36^{01C}

Place(s) of Use

[illegible]

~~Recommended~~ Amendments:

☒ Change P.D. as reflected above

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

Examiner's Signature

Checked by

Approved by

Date _____

Date _____

Date _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

July 13, 1979

Mr. and Mrs. Harry F. Magnuson
Box 469
Wallace, Idaho 83873

RE: 96-7172

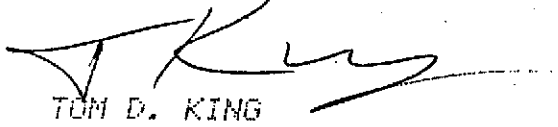
Dear Mr. and Mrs. Magnuson:

We acknowledge receipt of your statement of completion of water development and 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 do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,


TOM D. KING
Senior Water Resource Agent

TDK/pms

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. 96-7172

Name(s) of Permit Holder: Harry F. and/or Colleen B. Magnuson

Post Office Address: Box 469, Wallace, Idaho 83873

Source of Water: Ground water

Extent of Use: ☐ Domestic one (number of households)
☐ Stockwater 800-cattle (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

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. *See attached letter

5.29.79.

Date


Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



Received
5/31/79
J

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

May 29, 1979

DEPARTMENT OF WATER RESOURCES

Permit No. 96-7172

The original application for this permit included .8 cfs (360 gpm) for irrigation. The well is not being used for this purpose; therefore, the measuring device was not installed.


H.F. Magnuson

MICROFILMED

Ed
EDWARD J. ANSON

ATTORNEY AT LAW

May 30, 1979

SHOSHONE BUILDING
P.O. BOX 418
WALLACE, IDAHO 83873
(208) 556-1134

Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED

MAY 31 1979

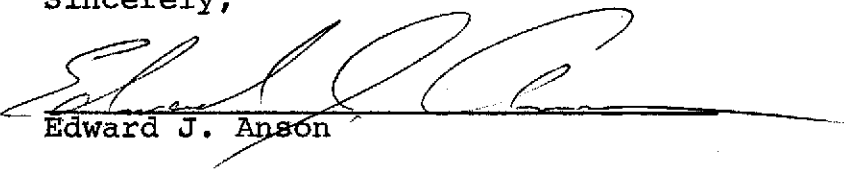
Dear Sirs:

Department of Water Resources

Please find enclosed a statement of development of a water use pertaining to permit number 96-7172 in the name of Harry F. and/or Colleen B. Magnuson.

If you have any questions regarding this statement, or if you require any further information, please contact my office at your earliest convenience.

Sincerely,


Edward J. Anson

EJA/pja
enc.

MICROFILMED

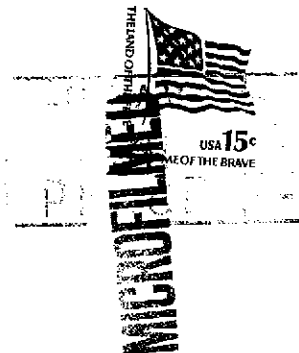
EDWARD J. ANSON

ATTORNEY AT LAW

SHOSHONE BUILDING

P.O. BOX 418

WALLACE, IDAHO 83873



Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

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

C. STEPHEN ALLRED
Director

CERTIFIED MAIL

March 30, 1979

Re: Permit No. 96-7172

10C807

Harry F. and/or Colleen B. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. and Mrs. Magnuson:

One of the conditions of approval of your water Permit No. 96-7172 (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 June 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

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

NOV 22 1979

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

MICROFILMED

June 5, 1974

Re: Permit No. 96-7172

Harry F. &/or Colleen B. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. & Mrs. Magnuson:

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

The time within which to submit proof of beneficial use of water has been extended to June 1, 1979.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JG
Enclosure

96-7172

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 to whom, date and 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.

①

L. F. Magnusson

INSURED NO.

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

P. Murray

DATE DELIVERED

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

③

APR 2 1966

96-7172

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

96-7172

April 1, 1974

CERTIFIED MAIL

#25317

Re: Permit No. 96-7172

Harry F. &/or Colleen B. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. & Mrs. Magnuson:

One of the conditions of approval of your water Permit No. 96-7172 (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 June 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

R. KEITH HIGGINSON
Director

Enc: Proof affidavit

96-7172

May 29, 1973

Re: Permit Nos. 96-7171 & 96-7172

Harry F. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. Magnuson:

Enclosed is a copy of your approved Application for Permit Nos. 96-7171 and 96-7172. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

96 7172

April 27, 1973

Re: Application No. 94-7031 Claim No. 96-4056
 " " 96-7171 " " 96-4057
 " " 96-7172

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 5-14-73 by CR

FE:CR

Enc: Legal Notices (5)

96 7172

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Harry F. &/or Colleen B. Magnuson,
Box 496, Wallace, Idaho

have
xxx has on April 24, 1973 submitted Application No. 96-7172
for a permit to appropriate 1.0 cubic feet per second xxxxxxxxxxxxxxxxxxxxxx
of water from a ground water source
by means of well and sprinklers
within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M., Kootenai County

to be used from April 15 to Oct. 15 for the irrigation of 40 acres (0.8 cfs),
xxx within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M.; and from Jan. 1 to Dec. 31
for
for domestic purposes (0.04 cfs), within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W,
xxxxxxx B.M.; and stockwatering purposes (0.16 cfs), within the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 53N,
R. 3W, 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
May 21, 1973

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on May 3 and May 10, 1973

96 7172

96 7172

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Harry F. &/or Colleen B. Magnuson, Box 469, Wallace, Idaho have on April 24, 1973 submitted Application No. 96-7172 for a permit to appropriate 1.0 cubic feet per second of water from a ground water source by means of well and sprinklers within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M., Kootenai County to be used from April 15 to Oct. 15 for the irrigation of 40 acres (0.8 cfs), within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M.; and from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs), within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 53N, R. 3W, B.M.; and stockwatering purposes (0.16 cfs), within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 53N, R. 3W, 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 May 21, 1973.

R. KEITH HIGGINSON
Director

May 3, 10, 1973

O.K.
5-9-73
d

April 26, 1973

Re: Application for Permit No. 96-7171
" " " " 96-7172

Harry F. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. Magnuson:

Attached is your receipt No. 10632 in the amount of \$110.00 for the filing fees on the above referenced items, which were received in this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enc: Receipt

96 7172

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

April 17, 1973

Harry F. Magnuson
Box 469
Wallace, ID 83873

Dear Mr. Magnuson:

Enclosed are two applications we have re-typed, and also your Check Nos. 92-56 in the amounts of \$85 and \$25.

Please note that on the well located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, we have changed Item 4 listing stockwater, domestic, and irrigation as the proposed beneficial uses. We have also changed Item 1 on both applications to read "Harry F. and/or Colleen B. Magnuson" so that either person may sign.

Please review the applications and if there are no errors, please sign at the bottom of Page 3 in the same manner as your name appears on Page 1 under Item 1. Re-submit the applications along with the required fees, and we shall begin their processing.

Your assistance in this matter is appreciated, and if you should have any questions, please contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

Enclosures