

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7072 Priority August 23, 1971 Amount 0.04 cfs

THIS IS TO CERTIFY, that Marshall L. &/or Betty L. George
of Newport, Washington, has complied with the terms and conditions of Permit
No. 96-7072 issued pursuant to Application for Permit dated August 23, 1971,
and has submitted proof to the Department of Water Resources on November 29, 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 an unnamed spring,
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>0.02</u> cfs and <u>1.2</u> acre feet			
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.02</u> cfs and <u>0.4</u> acre feet			
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
1.6 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8,
Twp. 55 N, Rge. 5 W, B.M. in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
55 N	5 W	8													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 4 day of
September, 19 75.

Director

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE)
DATE IN CONNECTION WITH PERMIT NO. 96-7072) ORDER
IN THE NAME OF MARSHALL L. &/or BETTY L GEORGE)
_____)

WHEREAS, on August 23, 1971, Marshall L. &/or Betty L. George applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate .07 cubic feet per second of water from an unnamed spring to be diverted from a point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, Twp. 55N, Rge. 5W, to be used for domestic and stockwater purposes; and,

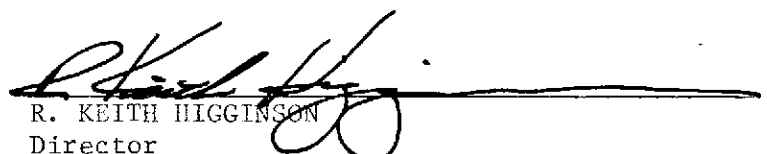
WHEREAS, on November 23, 1971, the Department approved said application and issued Permit No. 96-7072 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1973; and,

WHEREAS, on November 30, 1973, the permit holders submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holders have been proceeding with reasonable diligence and have given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 96-7072 be extended to December 1, 1974.

Dated this 3 day of December, 1973.


R. KEITH HIGGINSON
Director

BDF:JC

96-7072

Identification No. 96-7072

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 04 SEC. F1.
LICENSE PAGE NO _____

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

or

1. Name of applicant Marshall L. and Betty L. George
post office address Route 2, PO Box 40, Newport, Washington

2. Source of water supply Groundwater (unnamed spring) tributary of ---

3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8 Township 55N
Range 5W B.M. Bonner County; additional points of diversion if any: None

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: (All figures are cfs)
Amount .35 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount .05 for Stock Watering purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount --- for --- purpose from --- to --- (both dates inclusive)

5. Total quantity to be appropriated: water change
a. .20 cfs cubic feet per second and/or
b. -- acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 inch diameter water pipe, placed in hillside, water collected in barrels and pumped from barrels electrically to house and other use points on property. Water is from unknown underground source; is not pumped from ground.

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 Jan. 1 to Dec. 31 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 2 ~~years~~ years
b. Estimated construction cost is \$ 100.00.

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 SE $\frac{1}{4}$ of Section 8 Township 55N
Range 5W B.M. ---
 - (2) Amount of power to be generated: --- hp under --- feet of head.
 - (3) List number of each kind of livestock to be watered approximately 10 head horses
 - (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: Household domestic uses and stock watering.

96-7072

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

N/A

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated None

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 Mrs. Betty L. George, as her sole and separate property.
b. Who owns the land to be irrigated or place of use Same
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 This is an application for a permit to divert ^{.07} cfs of water for the use and benefit of the applicant and family. The water will be used for watering approximately 10 head of horses, more or less, and for drinking purposes, and other normal domestic uses. The water is from a pipe, about 2 inches in diameter, which is in a hillside on the property. The flow is based on gravity, and no pump is utilized to remove the water from the ground. The water is collected in 52 gallon barrels and will be pumped from the barrels to the points of use on the property. No commercial use of the water is contemplated.

SECTION 8. TWP 55N. R5WBM

SECTION 8, TWP 55N, R5WBM

x

Water will be diverted and used in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, at approximately the area shown by the red "X".

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.

Lotay L. George
(Applicant)

96-7072

96-7072

Received by 1 Date 8/23/71 Time 11: Am
Preliminary check by D Fee \$ 10.⁰⁰
Receipted by g Date 8-24-71
Publication prepared by cr Date 10-13-71
Published in Priest River Times
Publication dates 10-21 & 10-28-71
Publication approved CR Date 11-3-71
Priority ~~reduced~~ to 8-23-71 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by B H 76 D BDF CXT

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. 96-7072, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 73.
- c. Other: _____

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

Witness my hand this 23 day of November, 19 71.

R. Kind Higgins
Director

Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Marie Martin,
being duly sworn, says that she is the Co-Publisher
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been
continuously and uninterruptedly published in said County during
a period of 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general cir-
culation made up of at least eight pages of at least seven columns
each, printed from typematter or stereotyped forms of at least
nineteen and three-fourths inches depth, has at least 1250 bona fide
subscribers living within said Bonner County, and is published at
regular weekly intervals. That the annexed is a true copy of the
notice for publication in the case of

Notice of Application for Water Permit

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 21st day of October, 1971,
and _____

ending on the 28th day of October, 1971,
and that said notice was published in said newspaper proper, and
not in supplement form.

Marie Martin

Subscribed and sworn to before me this

28th day of October, 1971

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Mar-
shall L. &/or Betty L. George,
Route No. 2, P.O. Box 40, Newport,
Washington have on August 23,
1971 submitted Application No.
96-7072 for a permit to appropriate
0.07 cubic feet per second of water
from an Unnamed Spring by
means of pump and pipe within
the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 55N, R.
5W, B.M., Bonner County to be
used from Jan. 1 to Dec. 31 for
domestic and stockwatering pur-
poses within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
8, T. 55N, R. 5W, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before Novem-
ber 8, 1971.

R. KEITH HIGGINSON,
Director.

Published in the Priest River
Times, Priest River, Idaho on Oct.
21 and Oct. 28, 1971.

42-2t

96-7072

September 5, 1975

Re: Permit No. 96-7072

C Marshall L. &/or Betty L. George
Route 2, Box 40
Newport, WA 99156

O Dear Mr. & Mrs. George:

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

P Sincerely,

D. DARLENE REICH
Water Rights Supervisor

Y DDR:rb

Enc.

Microfilm

August 21, 1975

Marshall L. &/or Betty L. George
Route 2 - Box 40
Newport, Washington 99156

Dear Mr. & Mrs. George:

A representative of this Department has made an examination of the works covered by your Permit No. 96-7072 and has found the following:

Quantity of water diverted: 0.04 cfs Source: unnamed spring

Amount of water that can be recognized as beneficially used under
Klaho law: 0.04 cfs

The maximum quantity diverted shall not exceed 1.6 acre feet per
year.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, Twp. 55 N, Rge. 5 W, B.M.

Beneficial use: Domestic and stockwater purposes within the NE $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 8, Twp. 55 N, Rge. 5 W, B.M.

Priority date established: August 23, 1971

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Marshall L. &/or Betty L. George
Post office address Route #2, Box 40, Newport, WA 99156 Phone _____
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed spring
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount .02 c.f.s. for domestic
_____ AF/Annum (nature of use)

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

Amount .05 c.f.s. for stockwater (10 hd. horses)
_____ AF/Annum (nature of use)

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

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

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

Other uses: _____

Permit No. 96-7072
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion .07 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 55N N/S, Range 5W E/W, B.M., Section 8, Subdivision NE $\frac{1}{4}$ SE $\frac{1}{4}$, Bonner
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: Surface water is collected in a concrete cystem & piped from the same to the dwelling, stock troughs, and other places of use. The overflow is collected in a 1000 gal. holding tank & also piped back into the system.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
55N	5W	8													X				

TOTAL ACREAGE _____

A hand-drawn diagram of a cell. It shows an irregular shape representing the cell. The outer boundary is labeled 'Cell wall'. Inside this is a slightly more irregular line labeled 'Cell membrane'. A large, clear, oval-shaped structure is labeled 'Vacuole'. A smaller, darker, oval-shaped structure is labeled 'Nucleus'. The area between the membrane and the vacuole/nucleus is labeled 'Cytoplasm'.

[illegible]

DATE OF EXAM 8/11/75

ACREAGE

Found 1/4 acre (lawn and garden)
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q=_____ c.f.s.	V=_____	AF/Ann. from _____	to _____
Domestic Q= <u>.02</u> c.f.s.	V= <u>1.2</u>	AF/Ann. from <u>1/1</u>	to <u>12/31</u>
Livestock Q= <u>.02</u> c.f.s.	V= <u>.4</u>	AF/Ann. from <u>1/1</u>	to <u>12/31</u>

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 Meter No. _____ Type _____ Condition _____

Total V recommended 1.6 a.f. / year

Recommended Amendments:

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

MEASUREMENT CALCULATION:

estimated by pump and meter

SYSTEM DESCRIPTION:

Sears Pump and Motor
1/2 hp
Gen. F.H.

REMARKS:

Domestic purposes for 1 household
Stock water for 4 horses and 12 cattle

Examiner's Signature [Signature] Date 8/11/75

Checked by [Signature] Date 8/11/75

Approved by _____ Date _____

December 10, 1974

Re: Permit No. 96-7072

Marshall L. &/or Betty L. George
Route #2, Box 40
Newport, WA 99156

Dear Mr. & Mrs. George:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in Coeur d'Alene, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

cc: Cooke & Lamann
Attn: Mr. Cooke
P. O. Box 788
Priest River, ID 83856

MICROFILMED

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

OK
ig

1. a) Name of Permit Holder Marshall L & or Betty L. George
b) Post Office Address Rt. 2 Box 40, Newport, Washington 99156
2. Permit Number 96-7072
3. Date of Priority that you are prepared to establish January 1, 1972
4. a) Source from which water was appropriated Surface water
b) Location of the point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8
Township 55N, Range 5W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .02 cfs for Domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount .05 cfs for Stock purposes from Jan. 1 to Dec. 31 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 .07 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 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:
N/A
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Surface water is collected in a concrete cystem and piped from the same to the dwelling, stock troughs, and other places of use. The overflow is collected in a 1000 gallon holding tank and also piped back into the system.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well driller's name and address and the date the well was completed: not a well
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: domestic and stock watering

MICROFILMED

Exam typed 12/10/77 by JG

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: no irrigation at this time

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

Total number of acres irrigated _____

10. Remarks: See application for permit. The same remarks are applicable.

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

November 20, 1974
(Date)

Betty L. George
(Signature)

State of Idaho)
County of Bonner) ss.

On this 20 day of November, 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.

Thomas E. Cook
Notary Public residing at Priest River

My commission expires 2-23-75

*Time-Saver*F
R
O
M

COOKE & LAMANN
ATTORNEYS AT LAW
P.O. BOX 788
PRIEST RIVER, IDAHO 83856

MEMO

No 000400

AIRMAIL ☐FIRST CLASS MAIL ☐INTER-OFFICE ☐☐ NO REPLY NECESSARY☐ PLEASE CALL ME ON PHONE☐ PLEASE ANSWER BEFORE (DATE):

State Department of Water Administration

Statehouse

Boise, Idaho

IN REFERENCE TO:

George- No. 96-7072

PLEASE REPLY TO:

Mr. Cooke

MESSAGE

REPLY

Gentlemen:

Enclosed please find completed and notarized Proof of Application form for Mr. and Mrs. Marshall L. George. If you have any questions on this, please direct them to this office.

Thank you.

COOKE & LAMANN

By: *[Signature]*

MICROFILMED

- **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **DELIVER ONLY TO ADDRESSEE** and show to whom and date delivered..... 65¢
☐ **DELIVER ONLY TO ADDRESSEE** and show to whom, date, and address of delivery 85¢

2. **ARTICLE ADDRESSED TO:**

3. **ARTICLE DESCRIPTION:**

REGISTERED NO. CERTIFIED NO. INSURED NO.

26127

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

4.

DATE OF DELIVERY

POSTMARK

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE**

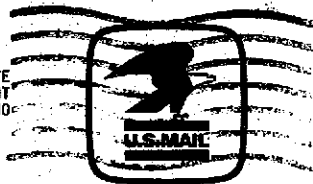
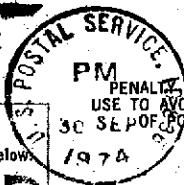
CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.



**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

September 30, 1974

CERTIFIED MAIL

#26127

Re: Permit No. 96-7072

Marshall L. &/or Betty L. George
Route #2, Box 40
Newport, Washington

Dear Mr. & Mrs. George:

One of the conditions of approval of your water Permit No. 96-7072 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 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

RKH:jg
Enc: Proof affidavit

96-7072

December 5, 1973

Re: Permit No. 96-7072

Marshall L. &/or Betty L. George
Route #2, Box 40
Newport, Washington

Dear Mr. & Mrs. George:

Enclosed is an order which extends the proof due date inconnection with the above referenced permit.

The time within which to submit proof of beneficial use has been extended to December 1, 1974.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enclosure

cc: T. E. Cooke
Attorney at Law
Enc: Copy of Order

96-7072

COOKE & LAMANNA
ATTORNEYS AND COUNSELORS AT LAW
BEARDMORE BUILDING
P. O. BOX 788
PRIEST RIVER, IDAHO 83856

28 November 1973

THOMAS E. COOKE
NICK M. LAMANNA

RECEIVED
NOV 30 1973
(808) 448-6311

Idaho State Department of Water Administration
Statehouse
Annex #2
Boise, Idaho 83707

Re: Marshall L. or Betty L. George
Permit #96-7072
Request for extension

Gentlemen:

Please consider this letter to be a request for an extension for a one year period for completion of the necessary diversion works on the above referenced permit.

This extension is being requested because certain circumstances beyond the control of Mr. and Mrs. George caused the work to be delayed. Essentially the problem has been that the applicants are construction workers and that their employment required them to be outside the State of Idaho during the times this past year when weather conditions would have permitted construction of the water diversion works. In addition to this factor, the applicants have had considerable difficulty in locating a suitable mobile home facility to install on the property which the water will benefit.

A portion of the diversion facilities have been completed and it is anticipated that no further difficulties will be encountered in completing the balance of the work within the one year extension period requested. The applicants have made every good faith attempt to complete the work within the time allotted, but have been prevented for the reasons indicated above. No such future delays are anticipated.

Please consider this request and advise this office and the applicants as to your findings. Your considerations are very much appreciated.

Very truly yours,

COOKE & LAMANNA

By: T. E. Cooke
Attorney at Law

TEC/ks
cc: Mr. & Mrs. Marshall
George

96-7072

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.

1

Betty L. Perry

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

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

3

OCT 11 1973

96-7072

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



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

96-7072

October 1, 1973

CERTIFIED MAIL

#24895

Re: Permit No. 96-7072

Marshall L. &/or Betty L. George
Route #2, P. O. Box 40
Newport, Washington

Dear Mr. & Mrs. George:

One of the conditions of approval of your water Permit No. 96-7072 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1973. 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

96-7072



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

December 6, 1971

Re: Permit No. 96-7072 - Marshall L. &/or Betty L. George

Marshall L. George
Route #2, P.O. Box 40
Newport, Washington

Dear Mr. George:

Enclosed is a copy of your approved Application for Permit No. 96-7072. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosure

96-7072

October 13, 1971

Re: Application No. 96-7072 - Marshall L. &/or Betty L. George

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our 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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

Bill submitted 11-3-71 By CR

96-7072

LEGAL...

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Marshall L. &/or Betty L. George, Route No. 2, P.O. Box 40, Newport, Washington have on August 23, 1971 submitted Application No. 96-7072 for a permit to appropriate 0.07 cubic feet per second of water from an Unnamed Spring by means of pump and pipe within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 55N, R. 5W, B.M., Bonner County to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 55N, R. 5W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before November 8, 1971.

R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Oct. 21 and Oct. 28, 1971.

42-2t

O.K.
10-18-71
J.S.

OK

96-7072

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Marshall L. &/or Betty L. George,

Route #2, P.O. Box 40, Newport, Washington

have

~~has~~ on August 23, 1971 submitted Application No. 96-7072

for a permit to appropriate 0.07 cubic feet per second ~~zero feet per second~~

of water from an Unnamed Spring

by means of pump and pipe

within the NE¹/₄ Sec. 8, T. 55N, R. 5W, B.M., Bonner County

to be used from Jan. 1 to Dec. 31

for domestic and stockwatering purposes

within the NE¹/₄ Sec. 8, T. 55N, R. 5W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before November 8, 1971.

R. KEITH HIGGINSON

Director

Published in the Priest River Times, Priest River, Idaho

on Oct. 21 and Oct. 28, 1971.

96-7072

Dear Sir;

The water is from a bunch of ground springs. The area around the springs is about 100 feet by 50 feet. You can dig up water in this area in 2 or 3 feet deep holes. I would say they are free flowing springs. I hope this will help to complete the Paper work. If ~~there~~^{there} are anymore questions please let me know.

Thank You

Marshall L George
Rt #2 P.O. Box 40
Newport, Washington
99156

RECEIVED

SEP 8 1971

Department of Water Administration

96-7072



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

September 30, 1971

Re: Application for Permit No. 96-7072

Mr. Marshall L. George
Route #2
Post Office Box #40
Newport, Washington

Dear Mr. George:

Please find enclosed a copy of our letter of September 15, 1971.

We wish to advise you that before we can take any further action in reference to this permit, we will need the information requested in that letter.

Your prompt assistance in this matter will be appreciated.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CS

Enclosure

96-7072

September 30, 1971

Re: Application for Permit No. 96-7072

Mr. Marshall L. George
Route #2
Post Office Box #40
Newport, Washington

Dear Mr. George:

Please find enclosed a copy of our letter of September 15, 1971.

We wish to advise you that before we can take any further action in reference to this permit, we will need the information requested in that letter.

Your prompt assistance in this matter will be appreciated.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CS

Enclosure

96-7072

September 15, 1971

Re: Application for Permit No. 96-7072

Marshall L. George
Route #2
Post Office Box #40
Newport, Washington

Dear Mr. George:

In reviewing your application for permit, the Department has some questions as to your source of water supply. Under item #2 of the application, you have described the source as being ground water from an unnamed spring. We would define ground water as being water from a well in excess of eighteen feet deep and the waters from a free flowing spring as being surface water. Please clarify by return mail which is the correct source so that we may continue with the processing of your application.

If you should have any questions, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cs

96-7072

August 25, 1971

Marshall L. George
Route #2, Box 40
Newport, Washington

Dear Mr. George:

Attached herewith is your receipt No. 7543 in the amount of \$ 10.00
for your application for permit

which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

96-7072

THOMAS COOKE
ASSOCIATE

FRED F. KONDO
ATTORNEY-AT-LAW
PRIEST RIVER, IDAHO 83856
August 20, 1971

Phone 448-7371
Area Code 208

Mr. Dorian Clay
Appropriation Examiner
State of Idaho
Department of Water Administration
Statehouse Annex #2
Boise, Idaho 83707

RECEIVED
AUG 22 1971
DEPARTMENT OF WATER ADMINISTRATION

Re: Application for permit for Marshall L. and
Betty L. George

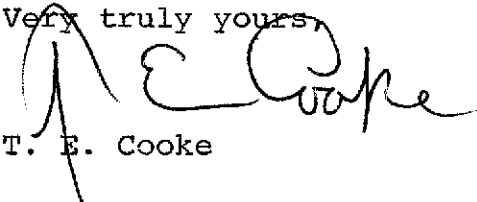
Dear Mr. Clay:

Thank you for your letter of August 18, 1971, suggesting
certain changes in the above referenced application.

I have made the changes you requested and enclosed herewith
you will find the form in its altered condition.

Please contact me if there are any other questions on this
matter.

Very truly yours,


T. E. Cooke

TEC/ks
enc.

96-7072

August 18, 1971

Mr. Thomas E. Cooke
Attorney-At-Law
P.O. Box 788
Priest River, Idaho 83856

Dear Mr. Cooke:

Re: Application for Permit for
Marshall L. & Betty L. George

We are herewith returning the above referenced application with the following recommended corrections:

Change the "name of applicant" to Marshall L. &/or Betty L. George OR have Mr. George sign the application also.

Change the "source of water supply" to unnamed springs.

Under item 4, the Department could only approve 0.02 c.f.s. for domestic purposes for a single family dwelling under normal conditions. This would make a total proposed appropriation of 0.07 c.f.s., the filing fee would remain the same.

We are also returning Betty L. George's check in the amount of \$10.00. Hope we have not caused an inconvenience to you, please contact us if you have any questions regarding this matter.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:DR

Enc: App. for Permit
Check No. 28-3

96-7072

THOMAS E. COOKE
ATTORNEY & COUNSELOR AT LAW
TELEPHONE BUILDING
P. O. BOX 788
PRIEST RIVER, IDAHO 83856

(208) 448-7371

August 15, 1971

Mr. Donald W. McEldowney
Appropriation Supervisor
State of Idaho Department of Water Administration
Statehouse Annex No. 2
Boise, Idaho 83707

Re: Applications of Isaac C. Dalton (No. 96-7066), and
Marshall L. and Betty L. George

Dear Mr. McEldowney:

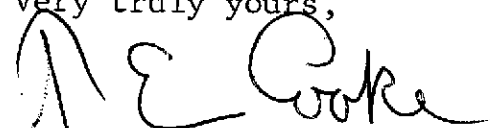
Thank you for your letters of August 11, 1971, and August 13, 1971, in connection with the above Applications which I submitted to the Department on the behalf of the named individuals.

Your comments with reference to Mr. Dalton's Application have been duly noted and are appreciated. As his is not an I.C. 42-227 situation, please proceed on the basis of your normal application procedures in such cases.

In the case of the Georges' Application, it is their wish that their Application be processed. The diversion pipe from which their water flows was placed in the hillside so many years ago, that no one is now sure just how deep it goes. In addition, it is situated in a slated hillside, and accordingly, it can not be readily determined how deep under the ground is the source of water it reaches. The Georges' reside in an area near here where there has been much land subdivision and many out-of-state persons coming in, who it is believed will be attempting to locate water sources. It is for that reason that they desire to cement in their water rights, even though the facts as outlined to me would indicate they have a valid "constitutional method" appropriation already.

Again, let me say thank you for your fine cooperation and assistance in this and all matters. I commend the Department for the outstanding work you are doing in the administration of Idaho water rights.

Very truly yours,



Thomas E. Cooke
Attorney

Enclosures

96-7072

August 11, 1971

Re: Application in the name of
Marshall L. and Betty L. George

Thomas E. Cooke
Telephone Building
P.O. Box 788
Priest River, Idaho 83856

Dear Mr. Cooke:

The application as prepared in file for Mr. George provides for what appears to be an appropriation of surface water and not ground water. A ground water appropriation would be made from artificial excavation or improvements more than 18 feet in depth from land surface. If this is, indeed, a surface water filing, the application will be mandatory. If the source is truly a ground water source, the application as prepared could qualify under Section 42-227 of the Idaho Code, so long as no more than 15,000 gallons a day are diverted.

Please advise us as to whether or not you wish the application processed, and if so, please return the check and the application enclosed.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Check No. 28-3
Original application for permit

96-7072

THOMAS E. COOKE
ATTORNEY & COUNSELOR AT LAW
TELEPHONE BUILDING
P. O. BOX 788
PRIEST RIVER, IDAHO 83856

(208) 448-7371

August 5, 1971

Department of Water Administration
Statehouse Annex Number 2
Boise, Idaho 83707

Re: Application of Marshall L. and Betty L. George
For Permit to Appropriate Water

Dear Sir:

Enclosed herewith please find the above referenced Application of Mr. and Mrs. Marshall L. George, who hereby apply for a permit to appropriate the public waters of this State.

Also enclosed is their check, made payable to your order in the amount of \$10.00, as your fee.

Please correspond directly with this office in all further matters involving said Application. The Georges' have requested this office to represent them in the submission of their water request.

If you find this to be an Idaho Code 42-227 situation, requiring no Permit, I would appreciate your so advising me at once.

Your aid and assistance in this, as in all matters, is sincerely appreciated.

Very truly yours,


Thomas E. Cooke

96-7072