

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY)

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

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 18 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

Notice of Application for Permit to appropriate Water

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

the *5* day of *March*, 19*70*, and ending on the *12* day of *March*, 19*70*.

Subscribed and sworn to, before me, this *12* day of *March*

1970

Callie Pontner
Bernard Hessinger

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

NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO

Notice is hereby given that Gordon F. or Leola M. Seerley, Athol, Idaho, have on January 19, 1970, submitted Application No. 96-7043 to appropriate the public waters of a groundwater source. The proposed uses are .02 cfs for domestic and .04 cfs for stockwater purposes from Jan. 1 to Dec. 31 and .44 cfs for irrigation from May 1 to Sept. 31.

The application proposes a maximum diversion and appropriation of .5 cubic feet per second of water to be diverted by well, pump, motor and pipe within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22, T. 53N, R. 4W, B.M., Kootenai County, and is to be used within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 53N, R. 4W, B.M. for domestic purposes and irrigation of 10 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before March 23, 1970.

R. KEITH HIGGINSON
State Reclamation
Engineer

NOT March 5, 12, 1970
Residing at Coeur d'Alene, Idaho
My commission expires December 1, 1970

96-7043

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7043 Priority Jan. 19, 1970 Amount 0.06 cfs

THIS IS TO CERTIFY, that GORDON F. or LEOLA M. SEERLEY
of Athol, Idaho, has complied with the terms and conditions of Permit
No. 96-7043 issued pursuant to Application for Permit dated January 19, 1970,
and has submitted proof to the Department of Water Resources on January 7, 1975,
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 0.06 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>0.02</u> cfs and <u>0.6</u> acre feet			
<u>Stockwater</u> from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>0.04</u> cfs and <u>0.7</u> acre feet			
<u>Irrigation</u> from <u>May 1</u> to <u>Sept. 30</u> at <u>0.06</u> cfs and <u>7.0</u> acre feet			
(both dates inclusive)			

Subject, however, to the condition that no more than 0.06 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
8.3 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22,
Twp. 53 N, Rge. 4 W, B. M. 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 $\frac{1}{4}$	
53 N	4 W	22											X						Two

Total number of acres irrigated Two

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 18 day of
August, 19 75.

Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 96-7043

in the name of GORDON F. OR LEOLA M. SEERLEY

ORDER

WHEREAS, on January 19, 1970, Gordon F. & Leola M. Seerley applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate .5 cubic feet per second of groundwater within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Twp. 53N, Rge. 4W, B.M., Kootenai County, to be used for domestic, stockwater, and irrigation purposes; and,

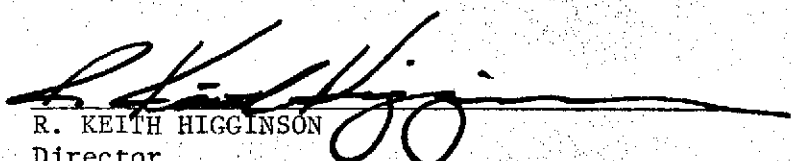
WHEREAS, on March 25, 1970, the Department approved said application and issued Permit No. 96-7043 with condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before March 1, 1975, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on January 7, 1975, the Department received the required proof of beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 96-7043.

Dated this 20 day of January, 1975.


R. KEITH HIGGINSON
Director

BDF:JG

MICROFILMED

Identification No. _____

Application No. 96-7043

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

(AMENDED)

APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR .06 SEC. 18 Appropriate the Public Waters of the State of Idaho
LICENSE PAGE NO. _____
(TYPE OR PRINT IN INK)

1. Name of applicant Gordon F. or Leola M. Seerley
post office address Athol, Idaho 83801

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 53N
Range 4W 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 .02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .44 for irrigation purpose from May 1 to Sept 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .5 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Drilled well, pump, motor and pipe

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.

c. Proposed well diameter is 6 inches; proposed depth of well is 400 feet.
(Mo. Day) (Mo. Day)

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 3500.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 Township 53N
Range 4W 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 50 cows & 304 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: _____

96-7043

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

[illegible]

Total number of acres to be irrigated 10 acres

c. Describe any other water rights used for the same purposes_____

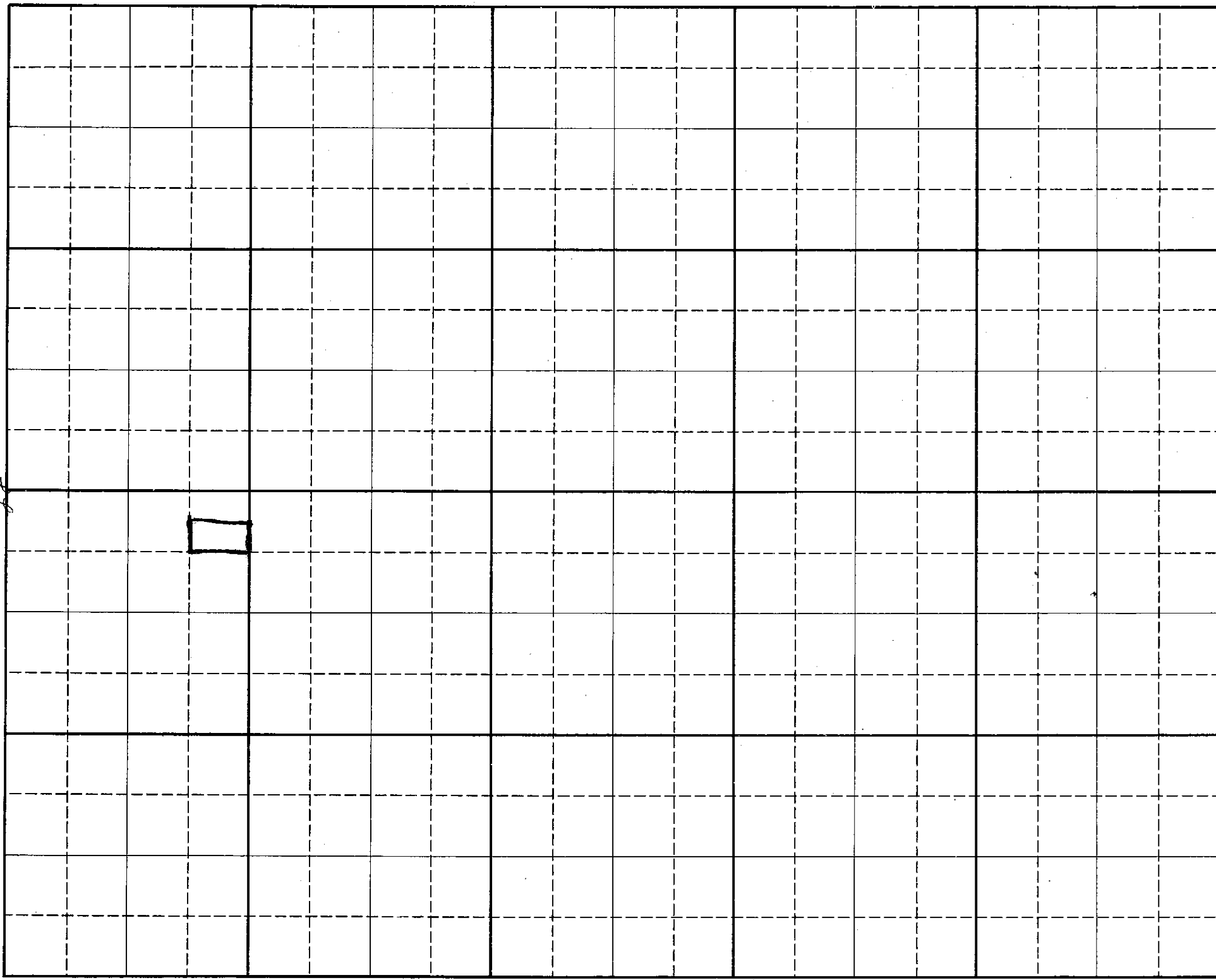
9. a. Who owns the property at the point of diversion Self

b. Who owns the land to be irrigated or place of use Self

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 Applicant requests 2+ inches per acre as a rate of diversion inasmuch as
it is very difficult to irrigate a small tract of ground with less water

11. Map of proposed project:



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.

Brandon L. Sealey
(Applicant)

96-7043

Revised priority: 1-19-70

Received by D Date 2-17-70 Time 8:00 A *Amended Application*

Preliminary check by D Fee \$ None

Received by ef Date 1-22-70

Publication prepared by de Date 2-23-70

Published in Coeur d'Alene Press

Publication dates 3-5+12-70

Publication approved de Date 3-24-70

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DWJ cft

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-7043, 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 March 1, 19 75.
- c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 25th day of March, 19 70.

P. Kirk Higgs
State Reclamation Engineer

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY)

STATE OF IDAHO,

County of Kootenai, } ss.

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

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

newspaper on Wednesdays; and that the

Notice of Application for
Permit to appropriate Water

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 5 day of March, 1970, and ending on the

12 day of March, 1970.

Callie Cozart

Subscribed and sworn to, before me, this 12 day of March

1970.

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

**NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO**

Notice is hereby given that Gordon F. or Leola M. Seerley, Athol, Idaho, have on January 19, 1970, submitted Application No. 96-7043 to appropriate the public waters of a groundwater source. The proposed uses are .02 cfs for domestic and .04 cfs for stockwater purposes from Jan. 1 to Dec. 31 and .44 cfs for irrigation from May 1 to Sept. 31.

The application proposes a maximum diversion and appropriation of .5 cubic feet per second of water to be diverted by well, pump, motor and pipe within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, of Sec. 22, T. 53N, R. 4W, B.M., Kootenai County, and is to be used within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 53N, R. 4W, B.M. for domestic purposes and irrigation of 10 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before March 23, 1970.

R. KEITH HIGGINSON
State Reclamation
Engineer

March 5, 12, 1970

96-7043

August 20, 1975

Re: Permit No. 96-7043

Gorden F. or Leola M. Seerley
Athol,
Idaho 83801

Dear Mr. or Mrs. Seerley:

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.

RECEIVED

August 6, 1975

Gordon F. or Leola M. Seerley
Athol,
Idaho 83801

Dear Mr. & Mrs. Seerley:

A representative of this Department has made an examination of the works covered by your Permit No. 96-7043 and has found the following:

Quantity of water diverted: 0.06 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 0.06 cfs

The maximum quantity diverted shall not exceed 8.3 acre feet per year.

Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Twp. 53 N, Rge. 4 W, B. M.

Beneficial use: Domestic, stockwater purposes and the irrigation of two acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Twp. 53 N, Rge. 4 W, B. M.

Priority date established: Jan. 19, 1970

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

RECEIVED
AUG 13 1975
WATER RIGHTS DIVISION

RECEIVED

JAN 22 1975

Department of Water Resources
Phone Northern District Office

Person to contact _____ Phone _____

3. Water will be used for the following purposes:

Other uses: _____

Permit No. 96-7043
Examination for b/u

Max Rate of Diversion .5 cubic feet per second and annual volume _____ AF/Annum.

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County _____

Other Points of Diversions: _____

Description of diverting works: 3 hp submersible pump, 1 1/4" pipeline in well, 1" pipeline to house.

Measuring device required: yes ☐ no ☒

M.D. removed

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **10**

T
53
N

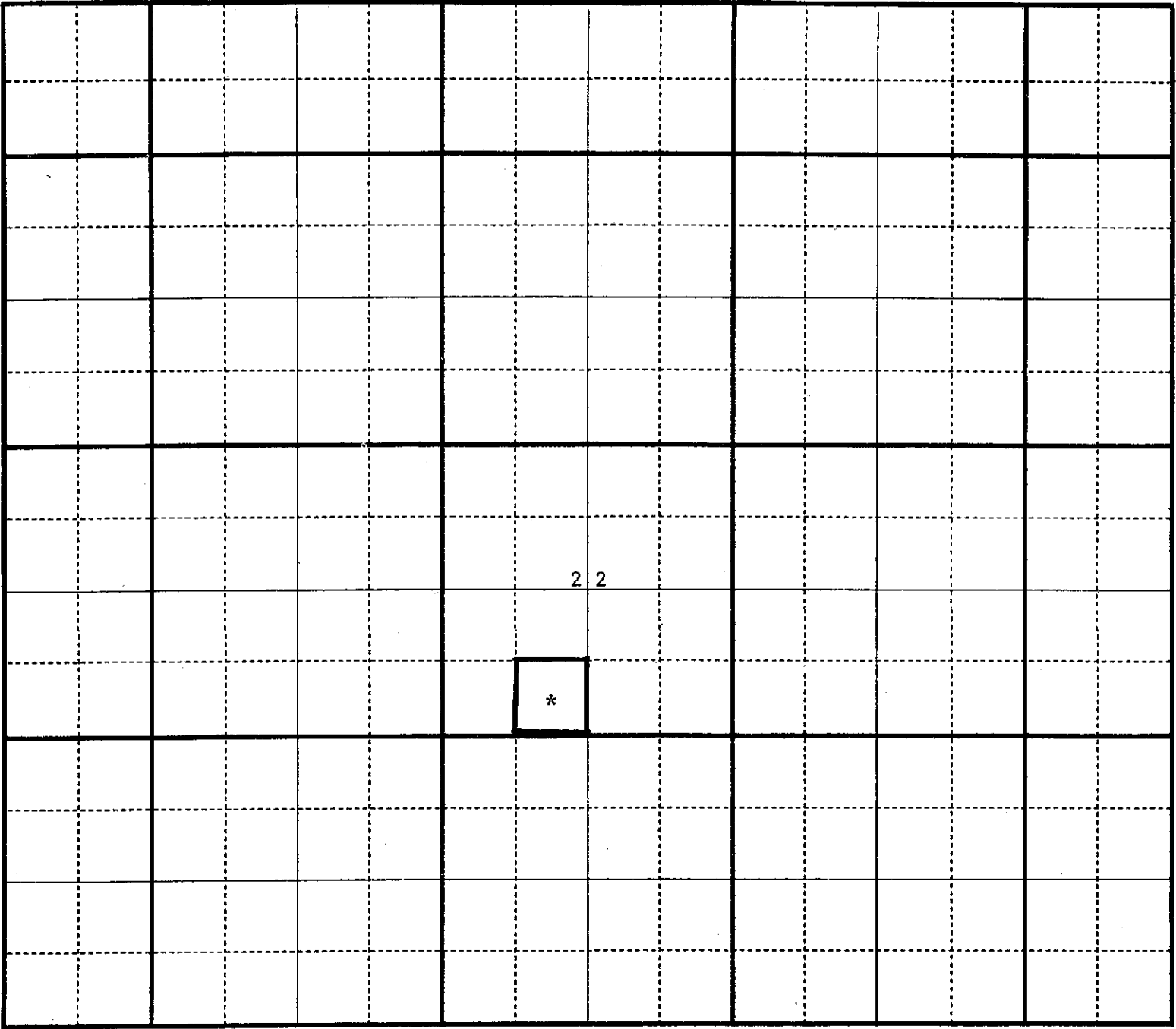


Diagram of System

DATE OF EXAM 7/7/25

ACREAGE

Found 2 acres

Recommended 2 acres

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = .06 c.f.s. V = 2.0 AF/Ann. from 5/1 to 9/31
Domestic Q = .02 c.f.s. V = 1.2 AF/Ann. from 1/1 to 12/31
Livestock Q = .02 c.f.s. V = .4 AF/Ann. from 1/1 to 12/31

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 .06 cfs Method of measurement estimated

Total Q recommended .06 Meter No. _____ Type _____ Condition _____

Total V recommended 8.8 a-f/year

Recommended Amendments: _____

P.D. _____

Place of Use _____

Other _____

None ☒

MEASUREMENT CALCULATION:

estimated at 25 gpm
(1500 gph)

SYSTEM DESCRIPTION:

6" well 4.52' deep
3hp motor radio pump

REMARKS:

Irrigation of 2 acres
Domestic for 1 household
Stockwater for 50 head

Examiner's Signature [Signature] Date 7/7/25

Checked by [Signature] Date 7/8/25

Approved by _____ Date _____

January 21, 1975

Re: Permit No. 96-7043

Gordon F. &/or Leola M. Seerley
Athol,
Idaho 83801

Dear Mr. & Mrs. Seerley:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order which removes the measuring device requirement from your 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 exam so that you may show him the system.

If you have any questions concerning the field exam, please contact our Northern District Office in Coeur d'Alene.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG
Enclosure

MICROFILMED

Identification No. _____

Permit No. 96-7043

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 7 1975

Department of Water Resources
Northern District Office

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Gordon F. &/or Leola M. Seerley
b) Post Office Address Athol, Idaho 83801
2. Permit Number 96-7043
3. Date of Priority that you are prepared to establish January 1, 1970
4. a) Source from which water was appropriated Ground water
b) Location of the point of diversion: SE ¼ SW ¼, Section 22
Township 53N, Range 4W Boise Meridian, Other points of diversion:
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)
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 0.04 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: Estimate.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement 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) 3 h.p. submersible pump, 1½" pipeline in well, 1" pipeline to house.
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: Howard Short, Route 1, Newmans lake, Washington. Well completed, August, 1970.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic purposes for one family within the SE¼SW¼, Sec. 22, T. 53N, R. 4W, B.M.

Exam typed 1/21/75 by js

INDEXED

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

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

Total number of acres irrigated _____

10. Remarks: Since the well is to be used only for domestic purposes, and not for
stockwater and irrigation as requested on the Application, the applicant wishes
the condition of a measuring device to be installed, be removed.

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

JAN. 7, 1975
 (Date)

Gordon L. Seely
 (Signature)

State of IDAHO)

County of KOOTENAI) ss.

On this 7TH day of JANUARY, 19 75, personally appeared before me
 the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Corda M. Roberts
 Notary Public residing at C.I.

My commission expires SEPT. 11, 1976

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.

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



**RETURN
TO**



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

WATER-RELATED

December 31, 1974

CERTIFIED MAIL

#26403

Re: Permit No. 96-7043

Gordon F. or Leola M. Seerley
Athol,
Idaho 83801

Dear Mr. & Mrs. Seerley:

One of the conditions of approval of your water Permit No. 96-7043 (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 March 1, 1975. 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

RECORDED
INDEXED

September 22, 1970

Gordon F. and Lola M. Seerley
Athol, Idaho
83801

Dear Mrs. Seerley:

In response to your letter of September 10, 1970, please be advised that although your permit was approved, it authorizes only the establishment of a water right if you complete the permit as required in the conditions of approval; namely that once the project is in full operation, and all the water has been used as intended under the permit, you must submit the required evidence of beneficial use to the department. Following receipt of this, we will schedule a field examination. When the field examination has been conducted, and the results obtained, the department will propose a water license, and advise you of its intent. Once a water license is issued, then you have prima facie evidence of a water right, which will confirm a water right dating back to a priority of January 19, 1970, at best. This would mean that under the state appropriations system, you are protected from junior appropriators injuring your prior right. You should understand that you are required to seek your appropriation to within a reasonable pumping level. This would mean that if you were pumping the water from approximately 200 feet, and it was determined that the reasonable pumping level for your nature of use in the particular area in question was 350 feet, and due to a junior appropriator, you were not able to obtain water at 350 feet, but had to go beyond this point, then the junior appropriator that injured your right would be liable for any damages. However, it should be noted that if you were still able to obtain water at the assumed level of 300 feet, and the reasonable pumping level was at 350 feet, it would probably be difficult to establish that there had been an injury to your right.

96-7043

We are enclosing a set of beneficial use forms and instructions, in case your project is completed to the point that you wish to submit evidence of beneficial use. If you do not desire to submit the evidence at this time, we will again notify you prior to March 1, 1975. Please do not forget that you were required under item c, of the approval to install a permanent measuring device. This must be installed before the March 1, 1975 date.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

Enc: Beneficial Use form, and instructions

96-7043

Pocatello Idaho
Sept 10, 1970

Dear Sirs,

We made application for a well last fall. Permit was granted and fee paid.

The well is now producing and we want to know if the permit means we have a registered well, and are protected from any infringement of future wells in the vicinity? We were told that it is possible a well drilled above us might lower our water quantity.

If we are not protected what process must we go through to protect our water rights?

Thanking You in advance for information to our questions

Sincerely Yours,

Gordon G and Leola M Seerley

96-7043

RECEIVED

SEP 11 1970

Department of Water Administration

96-7043

March 30, 1970

Re: Permit No. 96-7043

Gordon F. or Leola M. Seerley
Athol,
Idaho 83801

Dear Mr. & Mrs. Seerley:

We enclose a copy of your approved application for permit 96-7043 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 4095 for \$10
2 informational letters

P.S. 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 on your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

96-7043

1043

**NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF
IDAHO**

Notice is hereby given that Gordon F. or Leola M. Seerley, Athol, Idaho, have on January 19, 1970, submitted Application No. 96-7043 to appropriate the public waters of a groundwater source. The proposed uses are .02 cfs for domestic and .04 cfs for stockwater purposes from Jan. 1 to Dec. 31 and .44 cfs for irrigation from May 1 to Sept. 31.

The application proposes a maximum diversion and appropriation of .5 cubic feet per second of water to be diverted by well, pump, motor and pipe within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, of Sec. 22, T. 53N, R. 4W, B.M., Kootenai County, and is to be used within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 53N, R. 4W, B.M. for domestic purposes and irrigation of 10 acres.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Reclamation on or before March 23, 1970.

**R. KEITH HIGGINSON
State Reclamation
Engineer**

March 5, 12, 1970

96-7043

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

March 3, 1970

Sent in error

Re: Application for Permit No. 95-7091 - David A. Goodwin
96-7043 - Gordon F. or Leola M. Seerley

Coeur d'Alene Press
2nd & Lakeside
Coeur d'Alene, Idaho 83814

Gentlemen:

Would you please submit an affidavit of publication and a certified bill in connection with the above referenced item(s). The legal notice was to be published in your paper on **February 12 and 19, 1970.**

As the above permit application cannot be approved until we are in receipt of the affidavit, it is important that we receive it as soon as possible.

May we please have your prompt attention to this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

P.S. If the above has already been sent, please disregard this letter.
Thank you.

96-7043

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

February 23, 1970

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

Re: Application for Permit No. 95-7081 - Ronald L. Hanson
96-7043 - Gordon F. or Leola M. Seerley
96-7045 - Vaughn F. Sargent
96-7046 - Pack River Company

Coeur d'Alene Press
2nd & Lakeside
Coeur d'Alene, Idaho 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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notices (4)

*Bill submitted
3-27-70
ds*

96-7043

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Gordon F. or Leola M. Seerley, Athol,
Idaho, have on ~~Jan 19~~ January 19, 1970, ~~has on~~
submitted Application No. 96-7043 to appropriate the public waters of
a groundwater source

The proposed uses are .02 cfs for domestic and .04 cfs for stockwater purposes
from Jan. 1 to Dec. 31 and .44 cfs for irrigation from May 1 to Sept. 31

The application proposes a maximum diversion and appropriation of .5
cubic feet per second ~~back/feet~~ of water to be diverted by well, pump, motor
and pipe within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22,
T. 53N, R. 4W, B.M., Kootenai County,

and is to be used within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 53N, R. 4W, B.M. for domestic
purposes and irrigation of 10 acres

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Reclamation on
or before March 23, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho,
on March 5 and March 12, 1970.

K.H.

96-7043

Identification No. 96-7043

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

1. Name of applicant GORDON, F. OR. LEOLA, M. SEERLEY
post office address ATHOL IDAHO 83801
2. Source of water supply GROUND WATER which is a tributary of PEND OREILLE
3. a. Location of point of diversion is (W 1/4 Sec 22) of SE 1/4 SW 1/4 Section 22 Township 53 N
Range 4 W B.M. KOOTENAI County; additional points of diversion if any: LOT 18
BENCH DISTRICT 10 ACRES
- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.5 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:
58.40 to 50 gal per min
a. _____ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Drilled well pump motor pipe See

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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 400 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 3500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE 1/4 NW 1/4 of Section 22 Township 53 N
Range 4 W B.M. LOT 18 - 10 ACRES
(2) Amount of power to be generated: NONE hp under NONE feet of head.
(3) List number of each kind of livestock to be watered NONE

(4) Name of municipality to be served NONE, or number of families to be supplied with domestic water 1.
(5) If water is to be used for other purposes describe: NONE

96-7043

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

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

Total number of acres to be irrigated _____

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

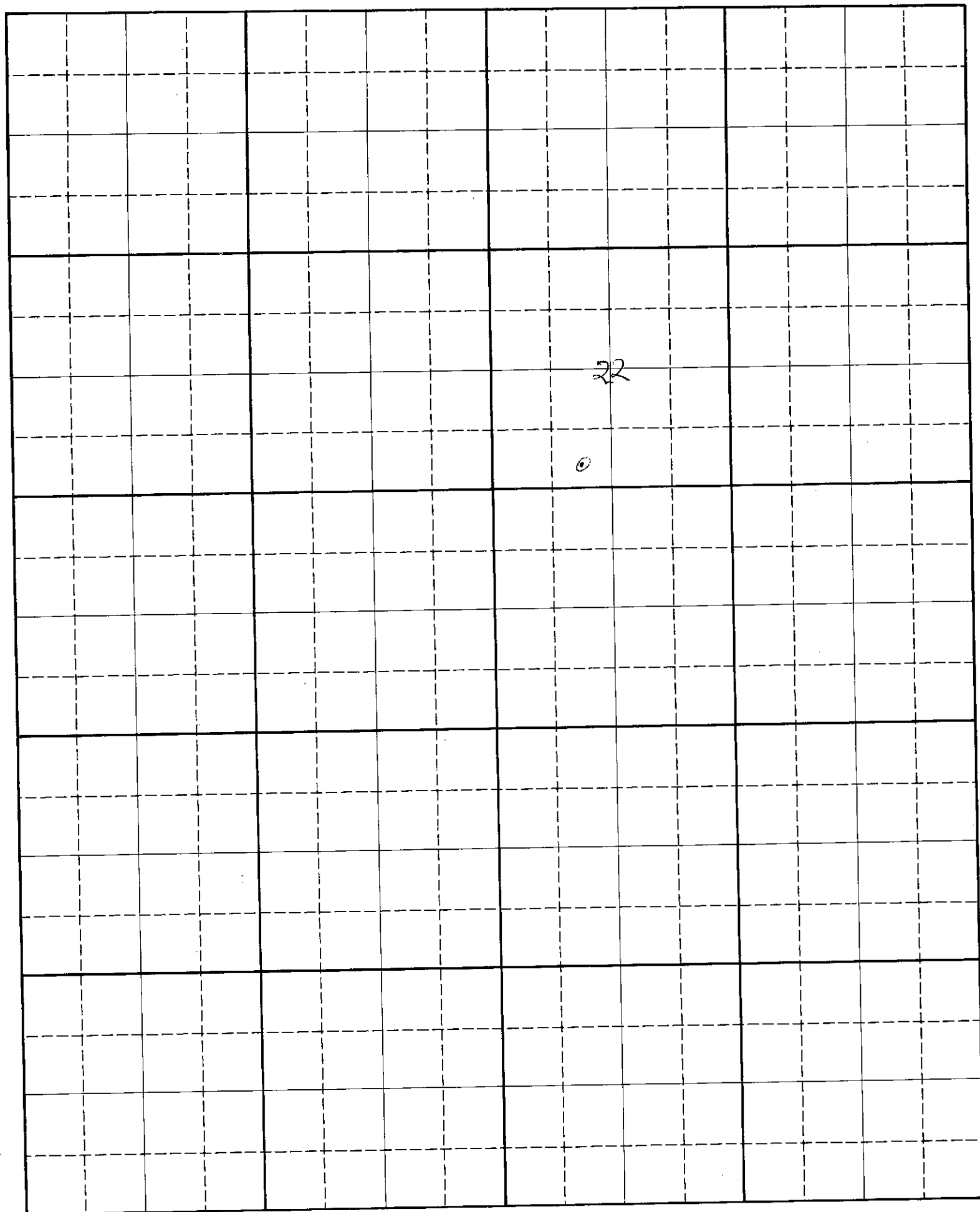
9. a. Who owns the property at the point of diversion Gordon A. & Leola M. Seerley

b. Who owns the land to be irrigated or 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 _____

10. Remarks _____

11. Map of proposed project:



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.

Gordon F. Seerley
(Applicant)
Gordon F. Seerley

96-7043

See Amended Application

D
said
after
9

Received by ef Date 1-19-70 Time 8:00 am
Preliminary check by ef Fee \$ 10.⁰⁰
Receipted by ef Date 1-22-70
Publication prepared by Rh Date 2-4-70
Published in Come & Home News
Publication dates 2-12-19-70
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: _____

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

Allow 102

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

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

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

Witness my hand this _____ day of _____ 19____.

State Reclamation Engineer

February 10, 1970

Re: Application for Permit No. 96-7043

C
O
P
Y

Gordon F. or Leola M. Seerley
Athol,
Idaho 83801

Dear Mr. & Mrs. Seerley:

We are in receipt of your note written on the bottom of our February 4th letter. This is to advise that if you wish to add stockwater and irrigation as a beneficial use, we will require that you complete the enclosed amended application. There will not be an additional fee, therefore, we are returning your check in the amount of \$10.00.

We have taken the liberty of typing an amended application for you to complete as follows:

- Item 4: List the specific amount of water proposed for stockwater and irrigation use. Also enter the months when water will be used for irrigation.
- Item 8(3): List the number of livestock to be watered.
- Item 8b: Enter by subdivision the number of acres of ground to be irrigated.
- Item 11: Complete a map of the proposed project and sign the application.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Typed app. w/check

96-7043

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

February 4, 1970

RECEIVED

Department of Reclamation

Re: Application for Permit No. 96-7043

Gordon F. or Leola M. Seerley
Athol,
Idaho 83801

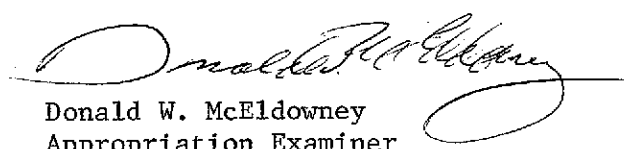
Dear Mr. & Mrs. Seerley:

We are in receipt of your Application for Permit to Appropriate the Public Waters of the State of Idaho.

This is to advise that the maximum quantity of water the Department can allow for a single family dwelling for domestic purposes is .02 c.f.s. If this is satisfactory, please advise. If not, we will require information justifying the amount you have requested, 0.5 c.f.s.

Your prompt attention to this matter will be appreciated.

Very truly yours,


Donald W. McEldowney
Appropriation Examiner

DWM:DR

I am sending you my check for an additional \$10.00 for the well permit. I want to water some grass acres for livestock and water livestock also. Please make the permit for 0.5 c.f.s. as I requested. Please send permit by return mail. Thank You. Gordon Seerley.

96-7043

February 4, 1970

Re: Application for Permit No. 96-7043

C
O
P
Y
Gordon F. or Leola M. Seerley
Athol,
Idaho 83801

Dear Mr. & Mrs. Seerley:

We are in receipt of your Application for Permit to appropriate the Public Waters of the State of Idaho.

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Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

96-7043

February 4, 1970

Re: Application for Permit No. 95-7091 - David A. Goodwin
96-7043 - Gordon F. or Leola M. Seerley

Coeur d'Alene Press
2nd & Lakeside
Coeur d'Alene, Idaho 83814

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(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Legal notices (2)

*Cancelled
2-10-70*

96-7043

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cubic feet per second ~~zero feet~~ of water to be diverted by

well, pump, and pipe within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22,

T. 53 N., R. 4 W., B.M., in Kootenai County

and is to be used within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 53 N., R. 4 W., B.M.

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WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Reclamation on
or before March 2, 1970.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Coeur d'Alene Press

on February 12th and February 19th, 1970

*Cancelled
2-10-70*

96-7043