

NAME OF APPLICANT

JOHN A. DEETER

Form No. 0

R4W

36

River

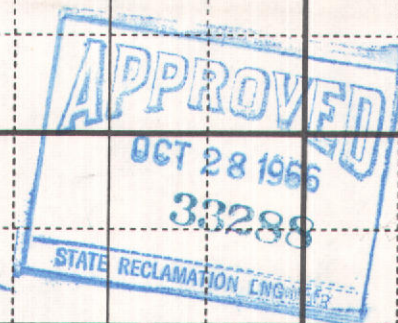
pt. of Diversion

T 56 N

T 55 N



/



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 28 1991

A. **GENERAL INFORMATION**

1. C

C

2. A

A

3. S

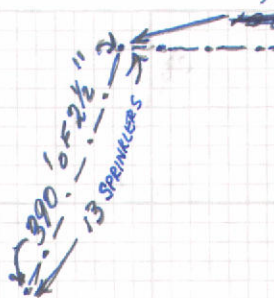
B. **OVERVIEW**

1. O

2. O

C. **SYSTEM**

1. **Diversion System Diagram:** Indicate size/ditch size/pipe i.d. as applicable.



Department of Water Resources

No. 664-8161
83814

ATE: 8/30/90

lo. _____

☐ Copies Attached

Copies of Field Exam's Attached

Scale: 1" = 100'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

- ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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JUN 12 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 28 1991

A. GEL

1. C

C

2. A

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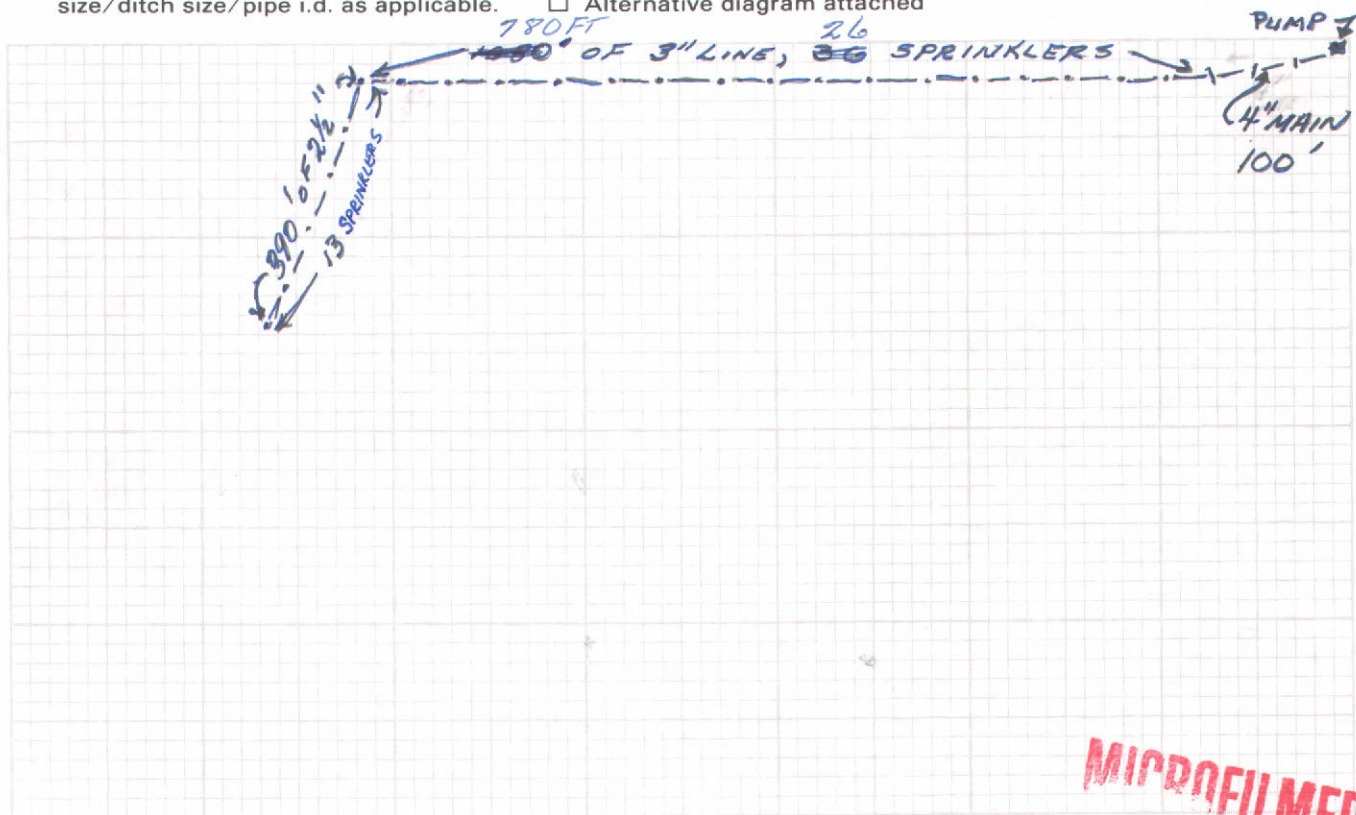
—

2. O

—

C. SYS

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 115

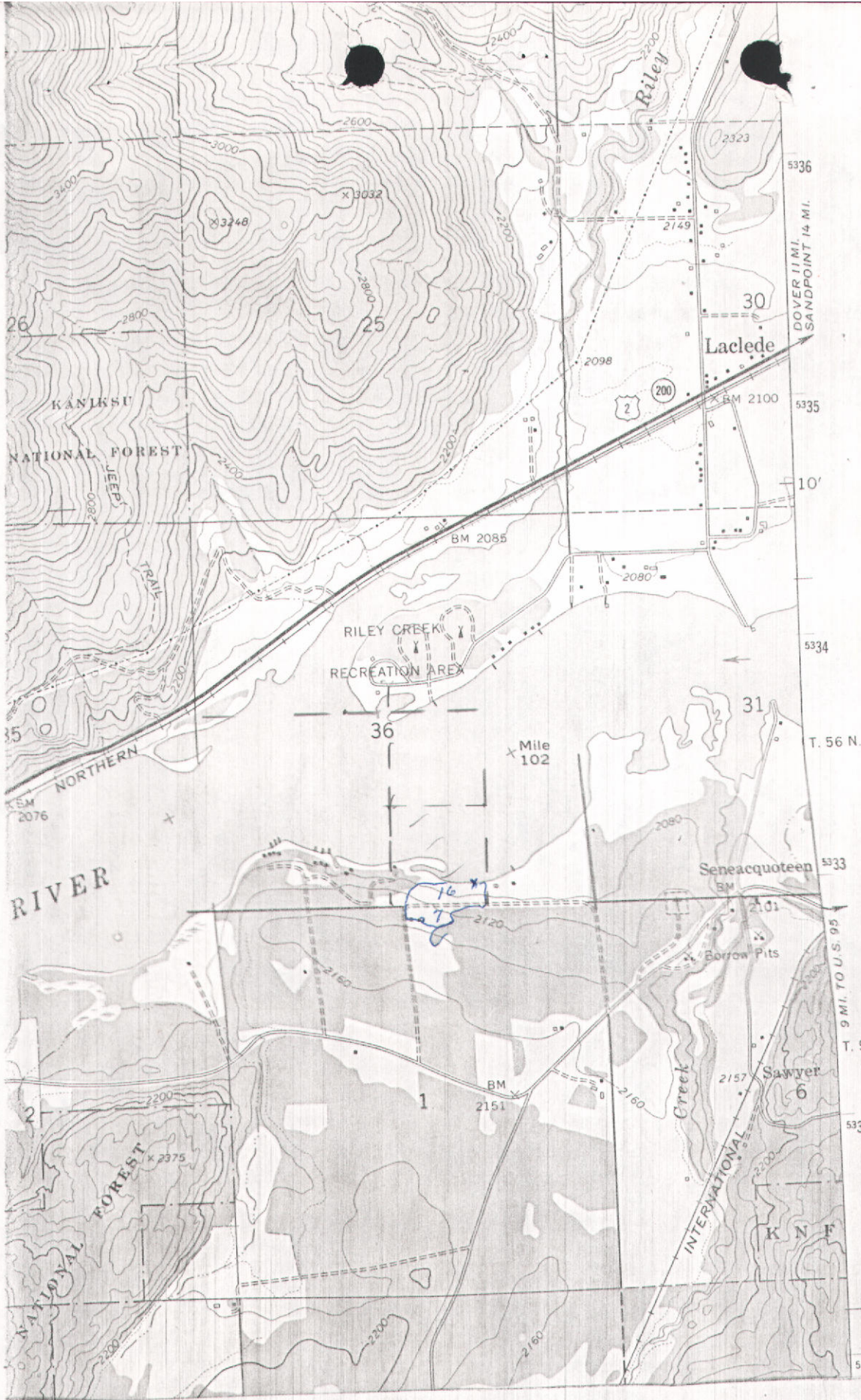
2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

- ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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TWP. 56 N, RGE. 4 W SEC. 36 MAP # _____ MAP SCALE _____
 DATE OF EXAM _____ PERMIT # 96-2309

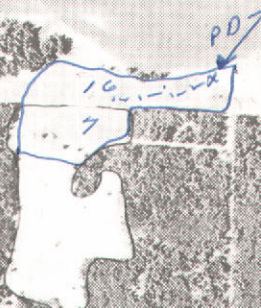
96-2309

NAT'L

Assoc Prop. Inc

2880

35/36
2/1



36/1

1/6
12/7

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JUN 12 1992

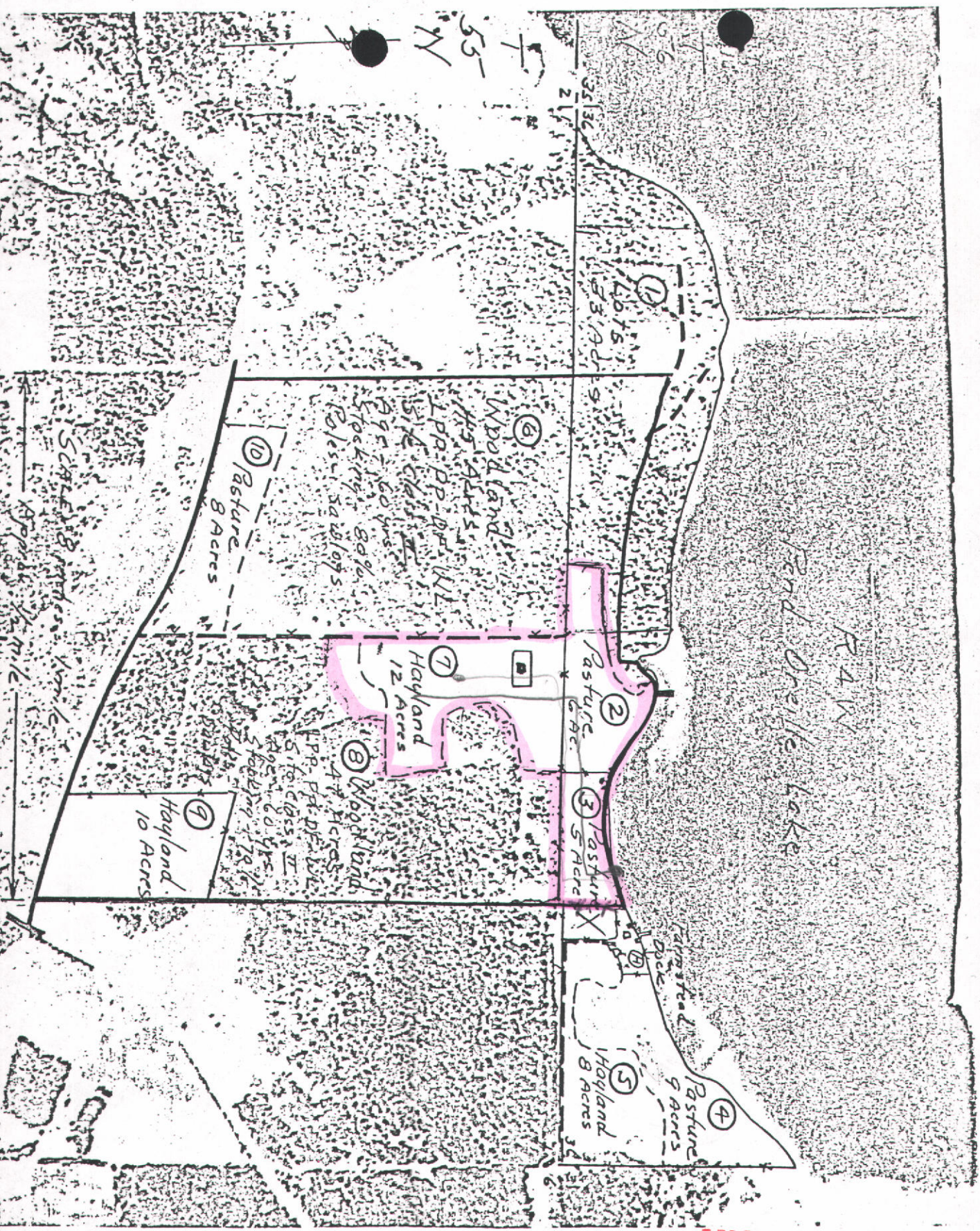
BONNER SOIL CONSERVATION DISTRICT
 OWNER / John Deeter Neil DREDEGE
 OPERATOR Bonner
 FARM NO. 403 DATE 5/1/83
 SCALE 8" = 1 mile
 PHOTO NO. DORE - 6V - 172

Exhibit I

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MAR 26 1990

SCHEDULE "B"



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-02309

Priority: October 30, 1966

Maximum Diversion Rate:

0.45 CFS

Maximum Diversion Volume:

69.0 AF

This is to certify, that V NEIL DREDGE
SUSAN E DREDGE

E 6735 YELLOWSTONE TRAIL

COEUR D ALENE ID 83814

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 19, 1966; and has submitted Proof of Beneficial Use on November 8, 1977. An examination indicates that the works have a diversion capacity of .470 cfs of water from:

PEND OREILLE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.45 CFS	69.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 36, Township 56N, Range 04W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
55N	04W	1	NWNE	7		7
56N	04W	36	SWSE	16		16

Total number of acres irrigated: 23

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

JUN 12 1982

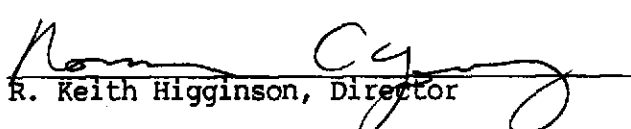
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-02309

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14TH
day of APRIL, 1992.


Acting for R. Keith Higginson, Director

RECORDED

JUN 12 1992

STATE OF Idaho)
County of Kootenai) ss.

On this 26 day of February, 19 92,
before me, a notary public in and for the said State, personally
appeared V. Neil Dredge,
known to me to be the President of the corporation that executed
this instrument or the persons who executed the instrument on
behalf of said corporation and acknowledged to me that such
corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year in this certificate first above
written.

MIDNIGHT MED

JUN 12 1992

Lou Ann Strehman
Notary Public for Idaho
Residing at Post Falls
Commission Expires 11-23-96

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, V. NEIL DREDGE hereby assign to V. Neil Dredge + Susan E.
for National Associated Properties Inc.
Dredge of E. 6735 Yellowstone Trail, Coeur d'Alene ID
Address 83814

All my right, title, and interest in and to Permit No. 96-02309
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of
the State of Idaho. (Describe that portion of the permit being
assigned by listing the acreage within each 40 acre subdivision, the
point of diversion and the amount of water in cubic feet per second for
direct diversion, or acre feet for storage)

Made this 26th day of February, 1992.

V. Neil Dredge
Permit Holder
for National Associated Properties Inc. an Idaho
Corporation
N/A
Spouse of Permit Holder

State of Idaho)
County of _____) ss

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

Notary Public residing at

s e a l

My commission expires:

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF VOIDED PERMIT
NO. 96-2309 IN THE NAME OF NATIONAL
ASSOCIATED PROPERTIES, INC.

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by this appointee, Gary Spackman, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

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III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

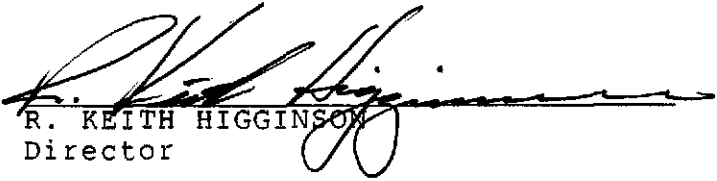
All exceptions, briefs, requests for oral argument and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 23rd day of October, 19 89.


R. KEITH HIGGINSON
Director

RECEIVED

MAR 26 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF VOIDED PERMIT	)	
	)	
NO. 96-2309 IN THE NAME OF NATIONAL	)	PROPOSED MEMORANDUM
	)	DECISION AND ORDER
ASSOCIATED PROPERTIES, INC.	)	
	)	

The Department of Water Resources (Department) issued an order voiding permit no. 96-2309 under authority of Idaho Code § 42-219 for failure to develop under the permit. The applicant, National Associated Properties, Inc. (National) requested a hearing pursuant to Idaho Code § 42-1701A regarding the order. A hearing having been held, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On October 19, 1966, John A. Deeter applied to the Department of Water Resources for a permit to appropriate 0.64 cubic feet per second of water from Pend Oreille River, tributary to Columbia River, within the SW1/4SE1/4, Section 36, T56N, R4W, B.M., Bonner County, to be used for irrigation purposes. This right was later assigned to National Associated Properties.

2. On October 28, 1966, the Department approved the application for permit.

3. The permit required, as a condition of approval, that proof of application of water to beneficial use be submitted on or before October 28, 1977.

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4. On November 8, 1977, the Department received Proof of Beneficial Use for the permit.

5. On numerous occasions from 1978-1987, the Department attempted to arrange a field examination. The examiner was told repeatedly that the system was inoperative.

6. On November 2, 1987, the Department conducted a field examination and the examiner's report indicated that water had not been diverted and put to a beneficial use.

7. On March 17, 1988, the Department sent a Notice of Pending Order Voiding Permit, to the permit holder, requesting relinquishment of the permit because of failure to place the water to beneficial use as conditioned on the permit.

8. The permit holder responded in a letter requesting the Department not to void the permit and stated that because of pump failure a period of time expired during which water was not diverted and beneficially used.

9. On April 29, 1988, the Department responded to the permit holder stating that the Department files were replete with information that no beneficial use had occurred, and in addition, that the the water had not been used for a period of ten (10) years.

10. On May 15, 1989, the Department voided the permit for failure to develop as required by condition of the permit, under authority of Idaho Code § 42-219.

11. Neil Dredge, representing National, contesting the order voiding permit requested a hearing as provided 42-1701A.

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12. A hearing was conducted on October 10, 1989.

13. The prior owner of the permit, John Deeter, testified that approximately 45 acres had been irrigated beginning in the 1950's and continuing through 1973.

14. Water was pumped from the Pend Oreille with a ten-horse power Denning pump.

15. The pump lifted water approximately 7-8 feet from the river, and also developed approximately 120 additional feet of head to pressurize the upper lines. At the time of operation, 36 sprinkler heads were operated from the pump.

16. Pasture was the primary crop grown with the irrigation water, although the pasture growth was frequently harvested for feed.

17. In 1973, Mr. Deeter sold the land to National.

18. Mr. Dredge testified that 23 acres was the maximum number of acres irrigated on the property.

19. Irrigation continued through the summer of 1982, when the pump broke down.

20. The Department files contain a summary of contact with Mr. Dredge and tenants or caretakers from 1978 through 1987. The summary implies that no irrigation was occurring from 1978 through 1987.

21. Mr. Dredge testified that the last irrigation of the property occurred in 1982, and that there has been no irrigation since that time. He also testified that National had attempted to reinstall the pumping plant, and that it intended to reinstall the plant for continued irrigation during the 1990 season.

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22. Mr. Dredge testified that National no longer owns the place of use, and that he personally is the owner of the property.

CONCLUSIONS OF LAW

1. Idaho Code § 42-219 states, in pertinent part:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

2. Permit no. 96-2309 required that the permit holder complete construction of works and continue to apply water to the proposed beneficial use within the authorized permit.

3. National established the extent of beneficial use that occurred during the development period of the permit. The extent of use is contained in the findings of fact. National also established that beneficial use continued, on a more limited basis, through the summer of 1982.

4. The permit should not have been voided for failure to develop.

5. Idaho Code § 42-350 states:

If the Director of the Department of Water Resources finds, on the basis of available information at any time after a license is issued, that the licensee has ceased to put the water to beneficial use for a period of five (5) continuous years . . . then the Director of the Department of Water Resources may issue (a) an order to show cause before the Director of the Department or the Director's designee on or before a date therein set, which shall not be less than thirty (30) days from the date of service, why the Director of the Department should not revoke said license . . .

6. There was testimony and evidence at the hearing that water has not been used for a period of greater than five years.

MAR 26 1990

7. The basis for the order voiding permit previously issued was not under authority of Idaho Code § 42-350.

8. The Department should rescind its order voiding permit, and reinstate the permit with its date of priority.

9. The permit holder should be responsible for arranging for a field examination once the system is reinstalled.

10. Any water right established under this permit must be conditioned to notify others of the possible forfeiture of this water right.

11. Permit no. 96-2309 should be assigned from National to Neil Dredge.

ORDER

1. IT IS HEREBY ORDERED that the order voiding permit no. 96-2309 in the name of National Properties is RESCINDED, and permit no. 96-2309 is reinstated with a priority date of October 30, 1966.

2. A field examination for this permit must be conducted during the irrigation season of 1990. The permit holder is required to schedule a field examination with the Department's Northern Regional office, and to comply with any directives by the field examiner.

3. If the permit holder does not arrange for a field examination, and it is not conducted during the irrigation season of 1990, the Department will prepare an Order to Show Cause under Idaho Code § 42-350, requiring the permit holder to show why the permit should not be revoked under 42-350.

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MAR 26 1990

4. If a field examination is conducted, the total acres that can be irrigated under this permit is limited to 23 acres. The amount of water diverted is limited to the amount of water that the original pump, as reinstalled, can produce.

5. National shall assign permit no. 96-2309 to Neil Dredge.

Dated this 20th day of October, 1989.


GARY SPACKMAN
Hearing Officer

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MAR 26 1990

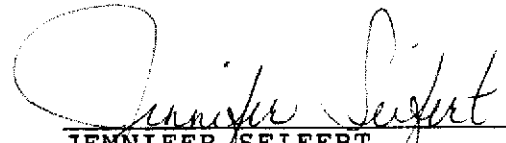
CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of October, 1989,
I mailed a true and correct copy of this document, postage
prepaid, to the following individuals:

Neil Dredge
Box 1132
Coeur d'Alene, ID 83814

National Associated Properties, Inc.
1111 Sherman Ave.
Coeur d'Alene, ID 83814-4154

IDWR - Northern Region


JENNIFER SEIFERT
Clerical Assistant

MICROFILMED
MAR 26 1990

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 96-2309 IN THE NAME OF	)	
	)	
NATIONAL ASSOCIATED PROPERTIES	)	ORDER VOIDING PERMIT

This matter having come before the Department of Water Resources as a result of an investigation by the Department to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On October 19, 1966; John A. Deeter applied to the Department of Water Resources for a permit to appropriate 0.64 cubic feet per second of water from Pend Oreille River tributary to Columbia River within the SWSE, Sec. 36, T56N, R4W, B.M., Bonner County, to be used for irrigation purposes. This right was later assigned to National Associated Properties.

2. On October 28, 1966, the Department approved the Application for Permit.

3. The permit required, as a condition of approval, that proof of application of water to beneficial use be submitted on or before October 28, 1977.

4. On November 8, 1977; the Department received Proof of Beneficial Use for the permit.

5. On numerous occasions from 1978-1987; the Department attempted to arrange a field examination. The examination repeatedly that the system was inoperative.

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MAR 26 1990

6. On November 2, 1987, the Department conducted a field examination and the examiner's report indicated that water had not been diverted and put to a beneficial use.

7. On March 17, 1988, the Department sent a Notice of Pending Order Voiding Permit, to the permit holder, requesting relinquishment of the permit because of failure to place the water to beneficial use as conditioned on the permit.

8. The permit holder responded in a letter requesting the Department not to void the permit and stated that because of pump failure a period of time elapsed wherein water was not used to irrigate and power was turned off.

9. On April 29, 1988, the Department responded to the permit holder stating that the Department files were replete with information that no beneficial use had occurred, and in addition, that over a period of ten years the water had not been used.

CONCLUSIONS OF LAW

1. Section 42-219, Idaho Code, states:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

2. Permit No. 96-2309 required that the permit holder complete construction of works and continue to apply water to the proposed beneficial use within the authorized permit period.

3. The examination of the Department of Water Resources revealed that the permit holder has failed to comply with the conditions of the permit by not completing construction of works and application of water to the proposed beneficial use as required by the permit and Section 42-219, Idaho Code.

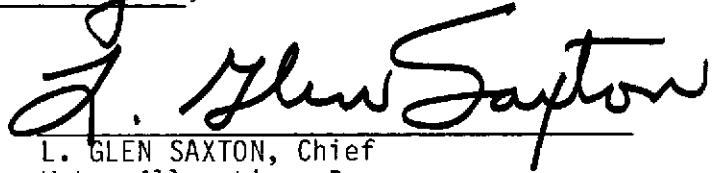
4. The permit should be voided pursuant to Section 42-219, Idaho Code.

MAR 26 1990

ORDER

IT IS HEREBY ORDERED that Permit No. 96-2309 is VOIDED and issuance of a license is REFUSED under Section 42-219, Idaho Code.

Dated this 15th day of May, 1989.



L. GLEN SAXTON, Chief
Water Allocations Bureau

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MAR 29 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 96-2309 IN THE
NAME OF NATIONAL ASSOCIATED PROPERTIES

ORDER OF REINSTATEMENT

WHEREAS, on October 19, 1966, John A. Deeter filed with the Department of Water Resources (formerly the Department of Reclamation) an application for permit to appropriate 0.64 cubic feet per second of water from Pend Oreille River, to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, Twp. 56N, Rge. 4W, B.M., Bonner County, to be used for irrigation purposes; and,

WHEREAS, on October 28, 1966, the Department approved said application and issued Permit No. 96-2309 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 28, 1977; and,

WHEREAS, on July 29, 1977, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on October 28, 1977, Permit No. 96-2309 automatically lapsed for failure to submit the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use of water on November 8, 1977, along with an assignment assigning this permit to National Associated Properties;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 96-2309 be REINSTATED and the priority advanced to October 30, 1966.

Dated this 21 day of November, 1977.


BOBBY D. FLEENOR
Chief, Operations Bureau

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

received at
Northern Region
11/8/77
✓

I, John A. Deeter, hereby assign to National Associated Properties
of 1123 Sherman Avenue, Coeur d'alene, Idaho
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 96-2309
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 7th day of NOVEMBER, 19 77.

John A. Deeter
Permit Holder

Spouse of Permit Holder

State of Idaho

County of Boonville

) ss.

On this 7 day of November, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Lang Kuei
Notary Public residing at

Coeur d'alene

My commission expires:

Continues

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33288/96-2309)
in the name of JOHN A. DEETER) ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

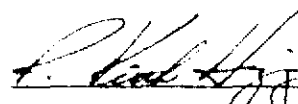
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33288 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before October 28, 1977. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the Department.

Dated this 8th day of October, 1970.


R. KEITH HIGGINSON
Director

33288
96-2309

33238
96-

Application For Permit
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 41500
PERMIT No. 33238
DISTRICT No.

1. Name of Applicant: John A. Deeter
Postoffice address: Route #1, Box 70-A, Priest River County: Bonner State: Idaho
I. If applicant is a corporation, give:
(a) Date and place of incorporation:
(b) Amount of capital stock:
(c) Amount paid in:
(d) Names and addresses of directors:

II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock:
(c) Bond to be issued:
(d) Other resources:
2. Quantity of water claimed: .64 cubic feet per second. 288 gallons per minute
3. Source of water supply: Pend Orille River which is a tributary of Columbia River.
4. Location of point of diversion: feet distant from the SW¹/₄SE¹/₄
corner of Section 36, T. 56N, R. 4 W, B.M., and is in the
of section, T., R., B. M., County of Bonner
5. Water is to be used for irrigation
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section
T., R., B.M., in the of Section of, T., R., B.M.
(b) Amount of power generated: H.P., under feet head.
(c) Water is to be returned to at a point feet
distant from the corner of Section, T., R., B.M., in the
of Section, T., R., B.M.
7. Estimated cost of works: \$ 3,200.00
8. Kind of works: 3 phase electric, 10 h.p. motor, pump and sprinkler system.
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is 5 years.
13. The time required for the complete application of the water to the proposed use is 6 additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

/s/ JOHN A. DEETER *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: October 19, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33288

Recorded in Book 116 Page 33288 Approved October 28, 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before December 28, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 28, 1969

The whole of said work to be completed on or before October 28, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before October 28, 1977

WITNESS My hand this 28th day of October, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLLIE _____, Governor of the State of Idaho,
and _____ LOUIS E. CLAPP _____, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th

day of October, 19 66.

STATE OF IDAHO

Countersigned:

(SEAL) By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLTIE
Governor.

REMARKS:

14.

[illegible]

Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Marie Martin,
being duly sworn, says that he 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 sterotyped 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 Existing 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 29th day of Oct., 1970,
and _____
_____ ending on the 5th day of Nov., 1970,
and that said notice was published in said newspaper proper, and
not in supplement form.

Marie Martin

Subscribed and sworn to before me this

5th day of Nov., 1970.

George Connolly
Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that John A. Deeter, Route 1, Box 70-A, Priest River, Idaho, has received an approved Permit No. 33288/96-2309 issued by the Idaho Department of Water Administration authorizing the diversion of 0.64 cubic feet per second of water from Pend Oreille River, tributary to the Columbia River. The priority to be established under this permit is October 19, 1966 and the permit was approved October 28, 1966.

Water is to be diverted by motor, pump and sprinkler system from a point within the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ Sec. 36, T. 56N, R. 4W, B.M., Bonner County to be used for irrigation in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 36, T. 56N, R. 4W, B.M. and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T. 55N, R. 4W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 28, 1977. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director,
Idaho Dept. of Water
Administration.

Published in the Priest River Times, Priest River, Idaho, on October 29 and November 5, 1970.

44-2t

33288
96-2309

Address all communications to

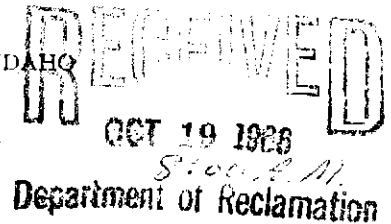
Form No. 1
Reprint 2M-7-62

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41588 33288 33288
Permit No. _____
District No. _____



1. Name of Applicant: JOHN A. DEETER
Post Office address: Rt 1 Box 70A County BONNER State IDAHO
PRIEST RIVER

If applicant is a corporation, give:

(a) Date and place of incorporation: _____
(b) Amount of Capital stock: \$ _____ (c) Amount paid in: \$ _____
(d) Names and addresses of directors: _____

The financial resources of the applicant are: (a) Cash on hand: \$ _____
(b) Treasury stock: _____ (c) Bonds to be issued: _____
(d) Other resources: _____

2. Quantity of water claimed: .64 (285 gpm) cubic feet per second

3. Source of water supply: PEND O'KEILLE RIVER
which is tributary of COLUMBIA RIVER

4. Location of point of diversion: S.W. 1/4 feet distant from the _____ corner
of Section _____, Twp. _____, Rge. _____, B. M., and is in the S.W. 1/4 S.E. 1/4
of Section 36, Twp. 56 N, Rge. 4 W B. M., County of BONNER

5. Water is to be used for: IRRIGATION

6. If for any non-irrigation purpose, give:

(a) Point of use of water: _____ feet distant from _____ corner of Section _____
Twp. _____, Rge. _____, B. M., in the _____ of Section _____, Twp. _____, Rge. _____, B. M.
(b) Amount of power generated: _____ H. P., under _____ feet head.
(c) Water is to be returned to _____ at a point _____ feet
distant from the _____ corner of Section _____, Twp. _____, Rge. _____, B. M., in the
_____ of Section _____, Twp. _____, Rge. _____, B. M.

7. Estimated cost of works: \$ 3200.00

8. Kind of works: 3 PHASE ELEC. 10 HP MOTOR PUMP & SPRINKLER SYSTEM
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____

feet; material used in dam _____
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width _____ feet; Height _____ feet

11. Ditch: Width at bottom _____ feet; Width at water line _____ feet; Depth of water _____ feet;

Dimensions of flume _____; Diameter of pipe _____ inches;

Length of conduit _____ miles. Average grade per mile _____ feet.

33288

16. (a) Is reservoir to be used? NO (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks:

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.


 Applicant.
 By _____, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said permission to file on the said spring
as set forth in the foregoing application.

STATE OF IDAHO)
County of) ss.

On this day of, 19....., before me, a Notary Public for the State of Idaho, residing
at, personally appeared.....
known to me to be the person... whose name... subscribed to the foregoing certificate, and acknowledged
to me that he.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires

Notary Public.

33288

Approval of State Reclamation Engineer
33288

The number of this permit is

33288

OCT 28 1966

Recorded in Book 116

Page

33288

Approved

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed before

Work to begin on or before December 28, 1966, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 28, 1969

The whole of said work to be completed on or before October 28, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before October 28, 1977

Witness my hand this 28th day of October, 1966

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE Governor of the State of Idaho,

and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to

be hereunto affixed, this 28th day of October, 1966

Countersigned:

By

Louis E. Clapp
Secretary of State.

STATE OF IDAHO

By

Robert E. Smyllie
Governor.

No. 33288

PERMIT

Date of first receipt at office of State Reclamation Engineer

October 19, 1966 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.00

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33288

NAME OF APPLICANT

JOHN A. DEETER

Form No. 0

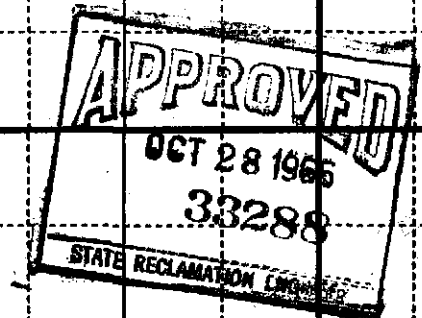
RAW

36

River of DIVERSION

T 56 N

T 55 N



April 15, 1992

V NEIL DREDGE
SUSAN E DREDGE
E 6735 YELLOWSTONE TRAIL
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 96-02309

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

MICROFILMED
JUN 12 1992

March 9, 1992

V NEIL DREDGE
SUSAN E DREDGE
E 6735 YELLOWSTONE TRAIL
COEUR D ALENE ID 83814

RE: WATER RIGHT NO. 96-02309

Dear Water Right Holder(s):

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

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

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

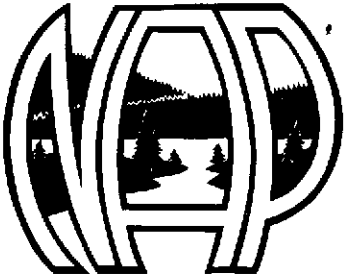
Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:clh

Enclosure

RECEIVED
JUN 12 1992



RECEIVED
MAR 2 1992

Department of Water Resources

NATIONAL ASSOCIATED PROPERTIES, INC., 1111 Sherman, Coeur d'Alene, Idaho 83814-4154

February 26, 1992

Mr. Gary Spackman
State of Idaho
Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720-9000

Dear Gary,

Re: Permit No 96-02309

Thank you for the reminder in regard to the transfer of this permit. I trust the enclosed assignment form is completed properly. If not, please advise.

Sincerely,


V. Neil Dredge

VND:mp

enclosure

RECEIVED
JUN 12 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 5, 1992

Neil Dredge
P.O. Box 1132
Coeur d'Alene, ID 83814

Re: Permit No. 96-02309

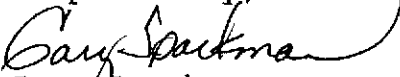
Dear Mr. Dredge:

As you recall, I met with you approximately two years ago regarding a permit owned by National Associated Properties, Inc. for irrigation of land adjacent to the Pend Orielle River. As a result of our meeting, I agreed to rescind a prior order voiding the permit with some conditions. One of the conditions is that the license will contain a condition stating that the issuance does not confirm the validity of the right, and that it may have been forfeited. In addition, the decision required that National Associated Properties, Inc. assign the permit to Neil Dredge. To date, I have not received an assignment.

I have enclosed an assignment form for you to complete and submit to me. Upon its submittal, I will prepare a final license.

Please return the assignment to me within 30 days of the date of this letter. Failure to do so could result in an order voiding your permit.

Respectfully,


Gary Spackman

C: IDWR - Northern Regional Office

RECEIVED
JUN 12 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 28 1991

A. GENERAL INFORMATION

Department of Water Resources
Permit No. 78-12307

1. Owner: NATIONAL ASSOCIATED PROPERTIES Phone No. 664-8161
Current Address: 111 SHERMAN COEURD'ALENE, ID. 83814
2. Accompanied by: RICK FITCHETT EXAM. DATE: 8/30/90
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Discharge
size



Scale: 1" = 1/4 mile

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

MICROFILMED

JUN 12 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 28 1991

A. GEI

1. C
C
2. A
A

Department of Water Resources

Id. 664-8161

83814

ATE: 8/30/90

Id. _____

3. S

B. OVE

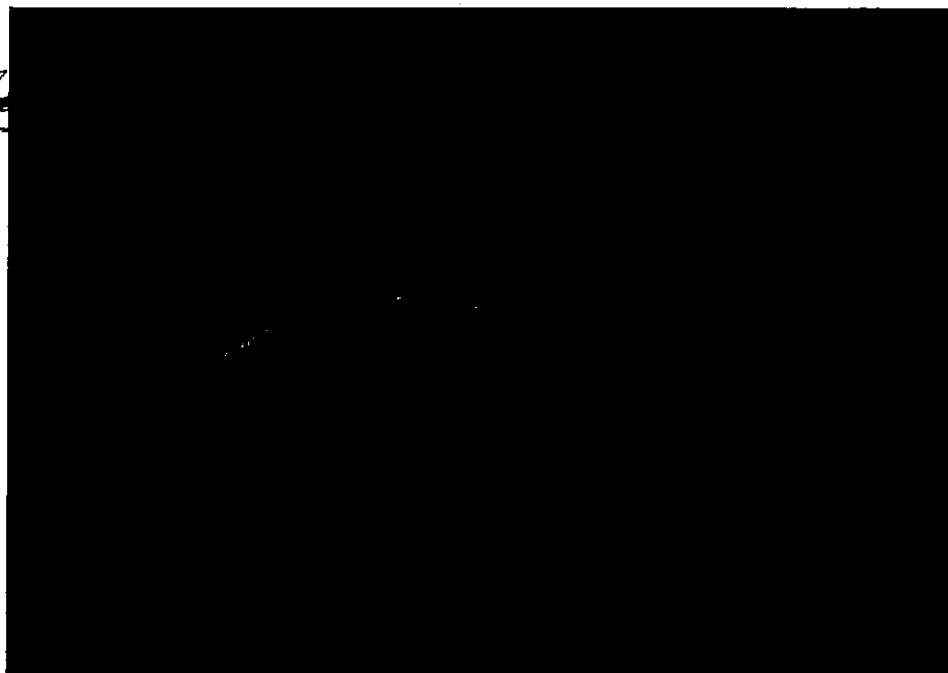
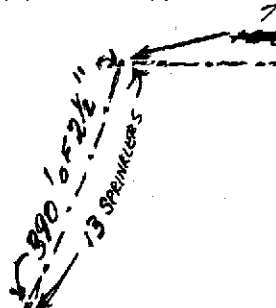
1. O
—
2. O
—

☐ Copies Attached

Copies of Field Exam's Attached

C. SYS

1. **Diversion System Diagram:** Indicate size/ditch size/pipe i.d. as applicable.



Scale: 1" = 1/4 mile

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).

- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

- ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

MICROFILMED

JUN 12 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 28 1991

A. GEI

1. C
C
2. A
A

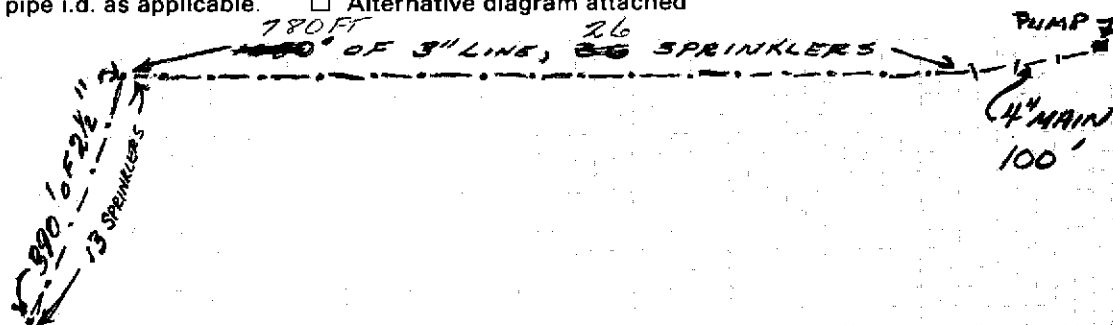
3. S.

B. OVE

1. O
—
2. OI
—

C. SYS

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = ~~100'~~ 100'

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

- ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

MICROFILMED

JUN 12 1992

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PITOT TUBE / PRESS GAUGE						

2. Measurements:

$$5/32 @ 5.5 PSI = \frac{5.21 gpm (39.5P)}{44.8} = .45 cfs$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$\frac{8.8 (10) 70\%}{2.3 (65) + 5} = .47$$

2. Alternate Method for Checking Purposes:

$$23 AC (1.02 cfs/AC) = 0.46 cfs$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (23 \text{ Acres Irrigated}) \times (3 \text{ Irrigation Requirement}) = 69$$

$$V_{D.R.} = (.45 \text{ Diversion Rate (cfs)}) \times (245 \text{ Days in Irrigation Season}) \times 1.9835 = 218.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 69$$

2. Volume Calculations for Other Uses:

REPROFILMED
JUN 12 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

ENTER SYSTEM NOT SET UP AT TIME OF EXAM.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	8-15	11-15	0.45	69

Totals:

0.45 69

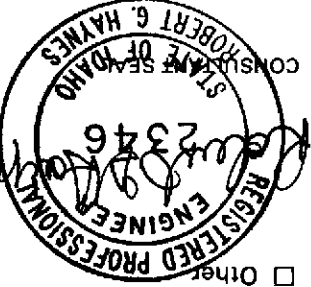
2. Recommended Amendments

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

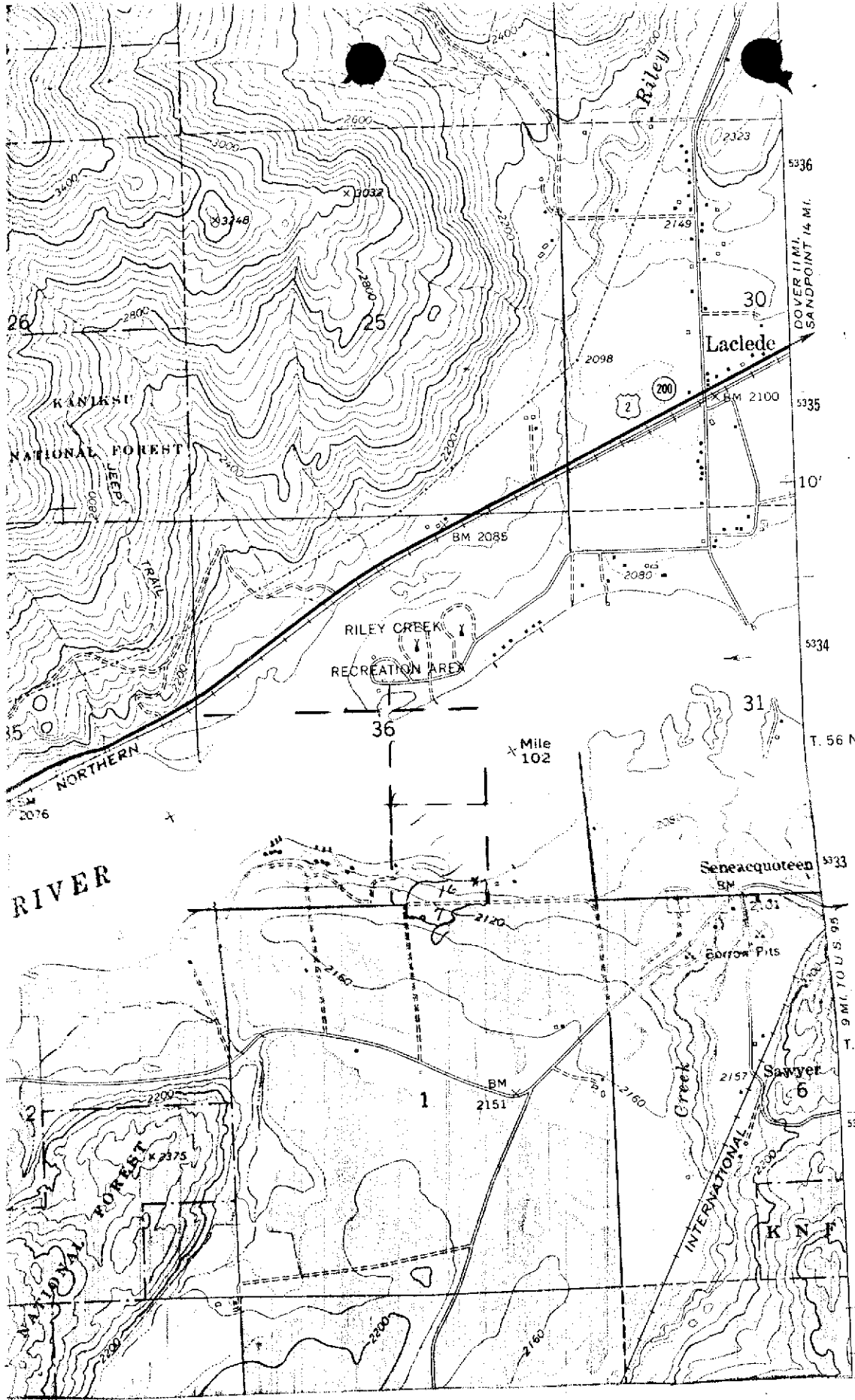
J. AUTHENTICATION

Field Examiner's Name Tom D. King
 Signature Tom D. King
 Certification Date 4/16/90
 Field Report Preparation Date 8/30/90

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



RECORDED
JUN 12 1992



TWP. 56 N, RGE. 4 W SEC. 36 MAP # _____
 DATE OF EXAM _____

MAP SCALE _____

PERMIT # 96-2309

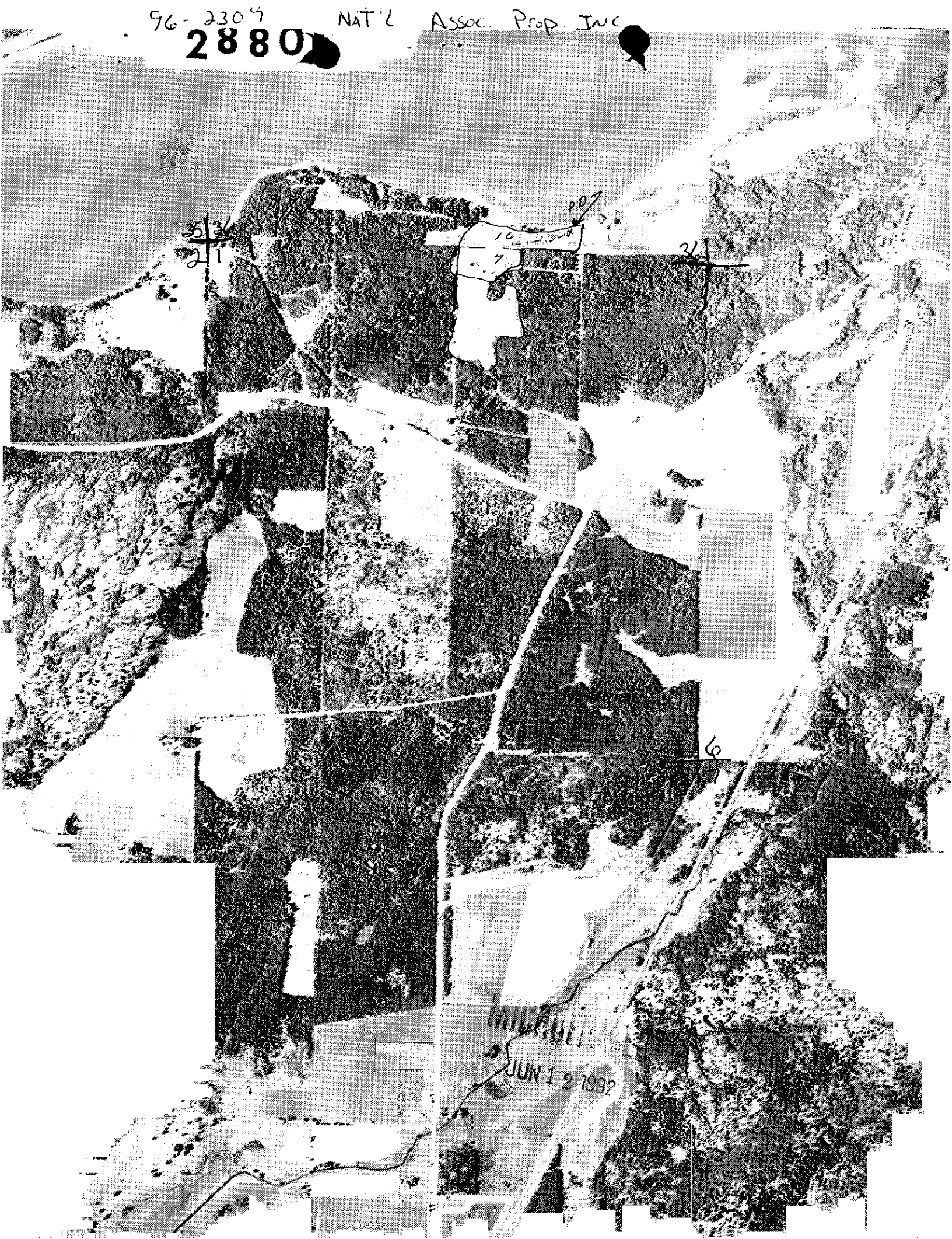
NOT FILMED
JUN 12 1992

96-2307

NAT'L

Assoc Prop. Inc

2880



October 23, 1989

Neil Dredge
Box 1132
Coeur d'Alene, ID 83814

Dear Mr. Dredge:

Enclosed is a copy of a Proposed Memorandum Decision and Order and the Order Issuing Proposed Memorandum Decision.

Please be advised that if you do not agree with the decision of the Department you may, within fifteen (15) days of receipt of the Proposed Memorandum Decision and Order, file exceptions and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

Sincerely,

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

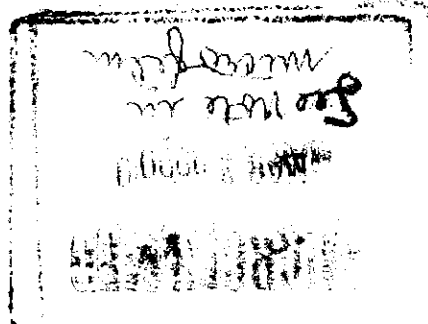
Enclosure

NOV 2 1989

File # 96-2309

National Associated Properties, Inc.

Sharing Taxes



RECEIVED

OCT 02 1989

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF VOIDING PERMIT)
NO. 96-2309 IN THE NAME OF) NOTICE OF HEARING
NATIONAL ASSOCIATED PROPERTIES, INC.)

On June 1, 1989, Neil Dredge of National Associated Properties, Inc., filed with the Department of Water Resources a request for a hearing pursuant to Idaho Code Section 42-1701 in the matter of voiding of Permit to Appropriate the Public Waters of the State of Idaho No 96-2309.

The Department has set the matter for hearing on Tuesday, October 10, 1989, at 10:00 AM, in the conference room of the Northern Regional Office of the Idaho Department of Water Resources, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

MICROFILMED

MAR 26 1990

Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 27th day of September, 1989.


ROBERT G. HAYNES, P. E.
REGIONAL MANAGER

I hereby certify that on the 27th day of September, 1989, I mailed a true and correct copy of this document by certified mail, postage prepaid, to:

Mr. Neil Dredge
National Associated Properties, Inc.
1111 Sherman Ave.
Coeur d'Alene, Id. 83814-4154


PATRICIA M. STYPA
SECRETARY/OFFICE COORDINATOR

MICROFILMED

MAR 26 1990

SENDER: Complete items 1, 2, 3 and 4.

your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
 2. ☐ Restricted Delivery. **IS**

3. Article Addressed to:**96-2309**

National Associated Properties
 c/o Neil Dredge
 111 Sherman
 Coeur d'Alene, ID 83814-4154

4. Type of Service:**Article Number**

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

33450

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

X *Patricia J. O'Reilly*
NOT FILMED

6. Signature - Agent

X

7. Date of Delivery**5-18-89 MAR 20 1990****8. Addressee's Address (ONLY if requested and fee paid)****1111 SHERMAN****96-2309**

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number 1.

**RETURN
TO**

1990

CLAIMED

DEPARTMENT OF WATER RESOURCES

(Name of Sender)
STATEHOUSE

BOISE, IDAHO 83720

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)



**PENALTY FOR PRIVATE
USE, \$300**



Notes

- October 19, 1966 - Application to Appropriate Water
- Filed by John A. Deeter
- Proposed diversion of 0.64 cfs from the Pend Oreille River for irrigation of 32 acres

Application no. 41500
 Permit was approved - October 28, 1966
 Permit no. 33288

Reassignment of numbering - 96-2309

← Beneficial use due October 28, 1977
 Order modifying
 Proof of beneficial use required

Notice that proof was due - mailed
 on July 29, 1977

Proof was filed by National Associated
 Properties, Inc.

Permit assigned to

MICROFILMED

MAR 26 1990

Department began contacting Mr. Dredge
 in 1978 to examine the system and
 beneficial use. ALL attention to handwritten
 notes

In ^{May} 1989 the dept. voided the
 permit for failure to comply with
 the conditions of the permit. Condition
 did not comply with is condition
 requiring completion of works & beneficial use

Issues today

1. Was development authorized ^{by} permit no. 96-2309 complete prior to October 28, 1977.
2. What was the extent of development, including amount of water pumped and no. of acres irrigated?
3. Has the right been lost by forfeiture or abandonment through non use for a period of more than five years.

JOHN DEETER

50's irrigation system was there
Irrigated approximately 45 acres
10 hp. 3 phase electric motor
Deering pump
1/4

36 sprinkler heads
operating pressure.
7-8 feet of suction lift
120 feet pressurized lift.
system adequate except for ~~high~~ high lift.
Cow-calf operation -
Feedlot -
Fields were for pasture sometimes for hay

RECORDED

MAY 23 1980

May of 1973 - property closed
in October 1973 -

Irrigated through summer of 1973

MICROFILMED

MAR 26 1990

BONNER SOIL CONSERVATION DISTRICT
 OWNER / John Dater Neil DREDGE
 OPERATOR Bonner
 FARM NO. 403 DATE 5/1/63
 SCALE 8" = 1 mile ACRES 186
 PHOTO NO. 208-6V-172

Exhibit I

MICROFILMED

MAR 26 1990

SCHEDULE "B"

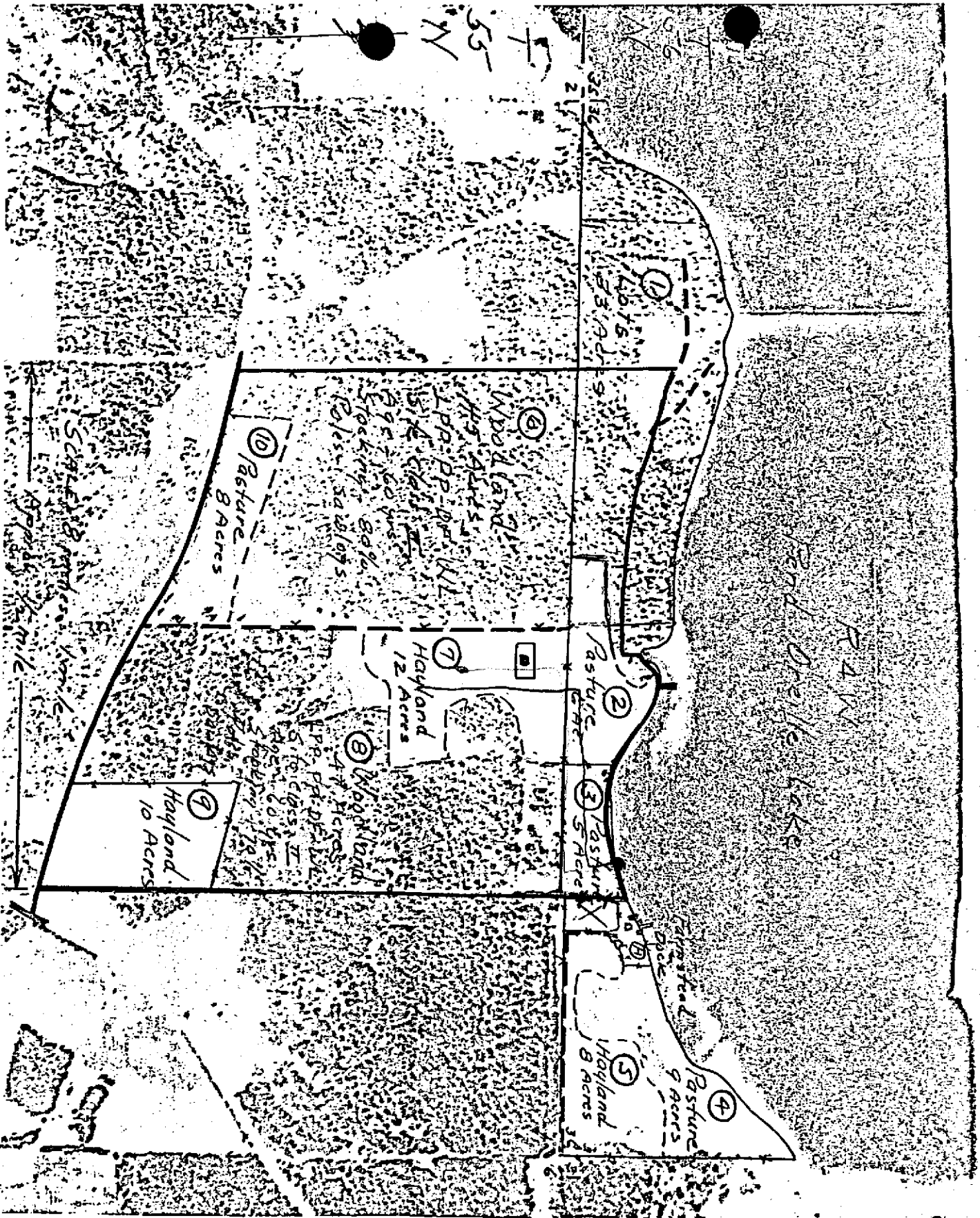


EXHIBIT "A"



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

August 4, 1986

Mr. Neil Dredge
National Assoc. Properties
P.O. Box 1322
Coeur d'Alene, Id. 83814

Re: 96-2309

Dear Mr. Dredge:

Before a license can be issued on Permit No. 96-2309, a field examination to prove beneficial use is required. During this examination, the system must be operating at its maximum.

I have contacted you each year since May of 1978 to set up an appointment for the examination. Each year you have informed me that the system is temporarily out of use, but irrigation will resume the following year. In July of 1985, I informed you that you must prove beneficial use prior to November 15, 1986, or I would be forced to commence cancellation procedures.

Please contact me prior to November 15, 1986 so that we may make an appointment to conduct the beneficial use examination and avoid cancellation.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

~~with mail application for permit~~

contacted Tom
weather band
river down
too late in year
Next year

REPROFILMED

MAR 26 1990

NATIONAL ASSOCIATED PROPERTIES

P. O. BOX 1322
COEUR D'ALENE, ID 83814

EXHIBIT "B"

3985

PAY
TO THE
ORDER OFDept. of Water Resources
one hundred

June 13 1986

\$ 100.00

92-6/1241

100 DOLLARS

First
Security
Bank

NATIONAL ASSOCIATION

COEUR D'ALENE OFFICE
P.O. BOX F, COEUR D'ALENE, IDAHO 83814

V. Neil Dredge

Michael Ann Elbelle

FOR

⑈003985⑈ ⑆124100064⑆088 00452 24⑈

4/86

MUST BE HOOKED UP
& TURNED ON

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Sent to S.O. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. _____

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:



I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: NEIL DREDGE / NATIONAL ASSOCIATED PROPERTIES3. Post Office Address: PO BOX 1322 COEUR D'ALENEIDAHO 83814Telephone No. 208 664-81614. Source of Water: PEND OREILLE RIVER

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 32 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted .64 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1966

8. Person to contact to accompany the department representative during the field examination:

NEIL DREDGE

(Name)

AS ABOVE

(Address)

[Please Note: Pump has just been repaired and will not be hooked up until August 1986.]

(Telephone Number)



I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

6-10-86

Date

Signature of Permit Holder (and title, if appropriate)

Neil Dredge, President, NAF MAR 26 1990

Feb. 12th, 1987

Good Morning Susan & Neil,

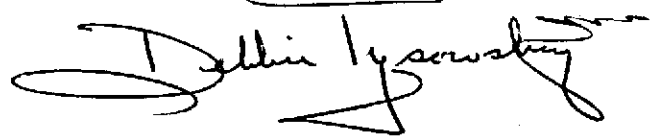
I just thought I'd drop you a line with regards to our telephone conversation last week. Yes, we are moving. As I was talking over the phone, due to the economic situation in Northemeldak, Gary has been unable to find employment in his field. In a new environment one needs friends or family; we have neither here. We have truly enjoyed living at the Ranch. It's an experience I'll always remember. We have had a great "5" years here.

As of this time we do not know exactly when we will be moving. I will let you know the date when I know.

Thanks for everything, it was nice living at your Ranch. Someday we hope to own a Ranch ourselves.

We wish you both good fortune in the future.

Sincerely,



MICROFILMED

MAR 26 1990

LEASE

EXHIBIT "D"

263-9611

THIS AGREEMENT, entered into this 19th day of JULY, 1987, by and between

NEIL & SUSAN DREDGE and GERARD R. FITCHETT

hereinafter called respectively lessor and lessee,

FITCHETT

WITNESSETH: That, for and in consideration of the payment of the rents and the performance of the covenants contained on the part of lessee, said lessor does hereby demise and let unto the lessee, and lessee hires from lessor for use as a residence,

those certain premises located at Rt. 1 Box 295, Priest River, Idaho 83856 fronting on Dufort Road, and containing one 2 bedroom home and a bunk house, and barn on approx. 140 Acres of land., for the term of one (1) year

commencing on the 1st day of AUGUST, 1987,

and ending on the 1st day of AUGUST, 1988

for the total rent or sum of THIRTY SIX HUNDRED XX dollars,

payable monthly in advance in installments of THREE HUNDRED XX dollars,

on the 1st day of each and every calendar month, at 1775 Avon Circle, Hayden Lake, ID 83835

It is further mutually agreed between the parties as follows:

- (1) Lessee will pay to the lessor in advance of the rental the sum of \$ 150. which represents a security deposit/cleaning fee, which is to be held by the lessor as a security for the faithful performance by the lessee of all covenants and agreements contained herein. Within ten (10) days after herein lessee has given back premises to lessor, premises will be inspected and cost, if any, will be deducted for cleaning and/or damage, other than normal wear, to property.
- (2) Said premises shall be occupied by no more than 2 adults.
- (3) Lessee shall not keep or permit to be kept in said premises any dog, cat, parrot or other bird or animal, unless approved by lessor. OK for no more than 2 dogs, 2 cats, 5 cows or 5 horses.
- (4) All alterations, additions or improvements made in and to said premises shall, unless otherwise provided by written agreement between the parties, shall be property of lessor, shall remain upon and be surrendered with the premises.
- (5) Lessee shall be responsible for normal repairs caused during lessee's occupation of premises. Lessee will not make repairs at the expense of lessor unless mutually agreed to beforehand by the parties.
- (6) Lessee shall keep and maintain the premises in a clean and sanitary condition at all times, and upon the termination of the tenancy shall surrender the premises to the lessor in as good condition as when received, ordinary wear and damage by the elements excepted.
- (7) Lessee agrees to properly cultivate, care for and adequately water the lawn, shrubbery, trees and grounds. No trees or hay crop shall be cut or removed from the premises without prior written approval of
- (8) Lessor shall pay for all water supplied to the said premises and for sanitation services. The lessee shall pay Lessor. for gas, heat, light, power, telephone service, and all other services, except as herein provided, supplied to the said premises.
- (9) Lessee shall not sublet the demised premises, or any part thereof, or assign this agreement without the lessor's written consent.
- (10) Lessor or his agent shall have access to the premises at all reasonable times for the purpose of inspection.
- (11) Any failure by lessee to pay rent or other charges promptly when due, or to comply with any other term or condition hereof, shall at the option of the lessor forthwith terminate this tenancy.
- (12) Should the lessee occupy said premises after the date of expiration of this lease with the consent of the lessor, such possession shall be construed to be a tenancy from month to month only, subject to all the conditions and restrictions of this lease, and the lessee agrees to pay rent therefore at the rate prevailing at the time of the expiration of said term until further notice. The tenancy thereby granted may then be terminated at any time by either party hereto by giving to the other party not less than thirty (30) days prior notice in writing.
- (13) If an action be brought for the recovery of rent or other monies due or to become due under this agreement or by reason of a breach of any covenant herein contained or for the recovery of the possession of said premises, or to compel the performance of anything agreed to be done by lessee, or to recover for damages to said property, or to enjoin any act contrary to the provisions hereof, Lessee will pay to lessor all the costs in connection therewith, including, but not by way of limitation, reasonable attorney's fees, whether or not the actions proceed to judgment.
- (14) A late charge of \$1.00 per day will be charged after the rental has been unpaid for five days, and collected until rental payment is current.

IN WITNESS WHEREOF the parties hereto have executed this agreement in duplicate the day and year first above written.

LESSOR

LESSEE

MAR 26 1990

MICROFILMED

EXHIBIT "E"



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

March 16, 1988

R. KEITH HIGGINSON
Director

National Associated Properties
c/o Neil Dredge
Box 1322
Coeur d'Alene, ID 83814

RE: Permit to Appropriate Water No. 96-2309

Dear Permit Holders:

NOTICE OF PENDING ORDER VOIDING PERMIT

On October 28, 1966 the Department of Water Resources approved an application to appropriate water, numbered 96-2309, from Pend Oreille River tributary to Columbia River, for irrigation purposes located in the NWNE, Sec. 1, T56N, R4W; S1/2SE1/4, Sec. 36, T56N, R4W, Bonner County, B.M.

Based on a field inspection conducted by a representative of our Department it has come to our attention that you have not developed the system you intended under this permit.

The purpose of this letter is to request that you relinquish your permit or explain why the Department should not void the permit. Enclosed is a relinquishment form that should be signed and returned to this office, unless you have some explanation that would prevent the Department from voiding your permit.

If you fail to respond to this notice within thirty (30) days of the date of mailing of this letter, the Department will ~~act to void~~ your permit. The permit will be voided on the grounds that you failed to divert and beneficially use the water that you were permitted to develop.

If you have any questions in regard to this matter, please feel free to contact our office.

Respectfully,

Gary Spackman

GARY SPACKMAN
Supervisor, Water Allocation Section

RECORDED

MAR 26 1988

I hereby certify that on this 17th day of March, 1988, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

Sharla Curtis

R E L I N Q U I S H M E N T

TO WHOM IT MAY CONCERN:

I hereby relinquish to the State of Idaho, all my
right, title and interest in and to Permit to Appropriate the
Public Waters of the State of Idaho, No. 96-2309.

Signed at _____ this _____ day
of _____, 19 88.

Permit Holder

ATTEST:

MICROFILMED

MAR 26 1990

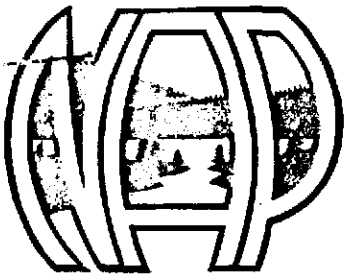


EXHIBIT "F"

Lee

NATIONAL ASSOCIATED PROPERTIES, INC., 1111 Sherman, Coeur d'Alene, Idaho 83814-4154

April 11, 1988

Department of Water Resources
State Office
1301 North Orchard Street
Boise, Idaho 83706-2237

Attention: Gary Spackman

RE: Your letter of March 16, 1988, permit to appropriate water No. 96-2309.

Dear Mr. Spackman,

We do NOT wish to relinquish our permit. After using our pumping and irrigation system for over 10 years our pump broke down and we went through a period of time where we were unable to irrigate. Because of this we also had the electric power turned off.

At this time we have contacted the power company, Northern Lights, in Sandpoint, Idaho, and have asked them to improve the line and turn on the power. We have also requested a contractor to build a pump house for us and reset, secure, and activate the pumping system again.

We will be ready for field inspection by your department in 60 days from the date of this letter.

Thank you for the opportunity to review our situation with your office.

Sincerely,

V. Neil Dredge

V. NEIL DREDGE,
President

I hereby certify that on this 11TH day of April, 1988, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

Patricia J. O'Reilly

VND/por

MICROFILMED

Phone (208) 664-8161

MAR 26 1990

MAR 26 1990

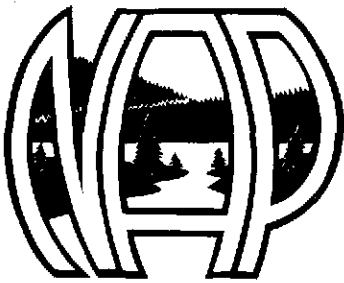


Exhibit A

NATIONAL ASSOCIATED PROPERTIES, INC., 1111 Sherman, Coeur d'Alene, Idaho 83814-4154

PERMIT NO. 96-2309

1. Permit holder purchased 166 acres in 1974 from John A. Deeter.
2. Permit holder was, and still is, an off-site Idaho State resident, not available at all times for on-site meetings.
3. Permit holder has had a 10HP pump and 3000 feet of irrigation pipe, fittings, valves and sprinklers on-site since purchase.
4. Permit holder has kept on-site residents/caretakers on property at all times.
5. Approximately 23 acres of hay ground was kept irrigated each summer from 1975 to 1982. Northern Lites was requested to energize the pump power each Spring, and they cut it off each Fall. Approximate annual usage time, five months. For the years 1975 to 1977 the Permit holder irrigated for hay crops. For the years 1978 to 1981 the Permit holder irrigated for cattle and horses.
6. In the year 1982 Permit holder purchased a large volume of trees to act as a visual barrier from property to the east. The irrigation system was partially diverted to water the three area as well as continue irrigation of the fields.
7. In 1982 the pump broke down. Estimated repair cost \$1,500.00
8. At various times State Water Board Representative, Tom King called to request on-site inspection of working irrigation system. Attempts were made by Permit holder and King to meet. Both parties could not find mutual convenient time.
9. After pump broke down, King indicated he would wait for repair, and during periodic reminder calls once or twice a year from 1983 to 1986, he indicated no critical time factor, but a field examination had to be done. Permit holder received a letter from Tom King dated August 4, 1986 in which King requested a field examination by November 15, 1986. SEE EXHIBIT "A".
10. Pump was repaired and returned to site in 1986.

MICROFILMED

MAR 26 1990

11. In June 1986, Permit holder paid \$100.00 fee and requested a water board field examination. SEE EXHIBIT "B".
12. By the time Permit holder and Tom King could mutually meet on-site the River was lowered and power turned off. Permit holder and King agreed to wait until 1987.
13. In February, 1987, Permit holders 5 year on-site residents gave notice they were vacating the premises. SEE EXHIBIT "C". Without assurance of care, attention and usage, and potential vandalism of the irrigation equipment and system, Permit holder did not approve energizing the system. The irrigation system was dismantled and freighted to Coeur d' Alene for safe-keeping until new renter/caretakers could be located.
14. On July 19, 1987 new and current renter/caretakers signed a lease and occupied the premises on August 1, 1987. SEE EXHIBIT "D". This was too late in the year to obtain irrigation power from Northern Lites, and to set up the system.
15. Arrangements were made in 1987 for a contractor, Vallé de Vista Construction, owner-operator Lee Sergeant, to re-install the repaired pump, make the system operational for State Water Resources Board approval, and to build a pump house for pump protection. Since it was so late in the 1987 irrigation year and we could not get the system energized, Lee Sergeant agreed to give this assignment priority in early 1988, weather permitting.
16. In March 1988, prior to the Pend Oreille River water level being raised and prior to the energizing program of Northern Lites for irrigation systems, Permit holder received a letter from State Water Resources Board dated March 16, 1988 requesting (a) relinquishment of the water permit or (b) an explanation for retention. SEE EXHIBIT "E". Permit holder responded with a letter dated April 11, 1988 requesting retention and inspection within 60 days. SEE EXHIBIT "F". This was followed with a request to Northern Lites, and a check dated May 13, 1988, for system energizing. SEE EXHIBIT "G".
17. Permit holder was then advised by State Water Resources Board that permit would be cancelled. No further calls were made to Permit holder for on-site inspection. Permit holder assumed there was no appeal process. Therefore irrigation system was not set up for 1988.
18. In May, 1989, Permit holder received a letter from State Water Resources Board indicating there was an appeal process. Appeal for hearing was submitted in a timely manner.
19. Permit holder has plans for residing on-site and to continue beneficial use of the irrigation system. Permit holder maintains the irrigation system is required for highest and best use of the property and to reduce fire hazard.

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MAR 23 1990

Summary: This system has been in beneficial use for 37 years. Permit holder desires to retain permit and will make irrigation system operational for beneficial use and on-site inspection upon mutual agreement with State Water Resources Board.

V. Neil Dredge
V. NEIL DREDGE
PROPERTY OWNER

DATE: 10-10-89

RECEIVED
MAR 2 1990

FROM

Garry

DATE

June 1, 1989

TO

File no. 96-2306

SUBJECT

I spoke to Neil Dredge today regarding his cancelled permit. He stated that he wanted to keep it alive, if possible. He also stated that he desired to petition the director for a hearing and would visit the Cour d'Alene office to file the petition.

MICROFILMED

MAR 26 1990

Garry

SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 20, 1989

Neil Dredge
National Associated Properties, Inc.
1111 Sherman
Couer d' Alene, ID 83814-4154

RE: Permit to Appropriate Water #96-2309; Request for Hearing
Regarding Voiding of Permit

Dear Mr. Dredge:

I acknowledge receipt of your request for hearing dated June 1, 1989. The request for hearing appears to have been timely filed.

A hearing will be scheduled to determine whether the order voiding the permit was appropriate. You must be prepared to present evidence regarding the following issues:

1. Was the permit developed prior to October 28, 1977.
2. The extent of beneficial use prior to October 28, 1977, including the number of acres irrigated and the flow capacity of the system.
3. Evidence that the right has not been lost through forfeiture resulting from the non use of the water for a period of more than five years.

I am forwarding a copy of this letter to Bob Haynes, our Northern Region Manager. Mr. Haynes will schedule a hearing, probably in Couer d' Alene.

Sincerely,

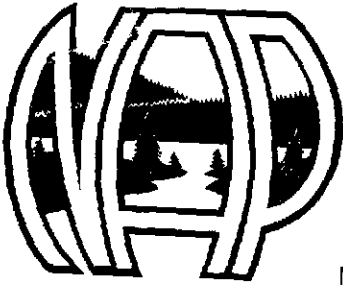
GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

cc. Northern

RECEIVED

MAR 26 1990



RECEIVED
JUN 09 1989

RECEIVED
JUN 01 1989
NORTHERN REGION
IDWR

Department of Water Resources
NATIONAL ASSOCIATED PROPERTIES, INC., 1111 Sherman, Coeur d'Alene, Idaho 83814-4154

June 1, 1989

To State Water Resources Board
Re: Permit No. 96-2309

I hereby request a Hearing before the Director to request a retention of my Permit on a 140 acre ranch on the Perd Oreille River. The irrigation pump and over 1/4 mile or irrigation pipe are still on site. The system was in place and in use until approximately 1984. At that time my pump broke down and the estimated repair bill was \$1500. By the time I had the pump repaired and was ready to reinstall and operate the system I was advised by a Coeur d'Alene State Water Board representative that I had lost my permit. The records will show I paid my \$100 application fee in 1986. About the same time and later I wrote letters to the State making commitments time-wise to show my working system but was told my permit had been cancelled. Because of the certified letter from Boise that I received May 18, 1989, I wish a further hearing. All I am asking **MICROFILMED** is that I can keep my water rights permit.

MAR 26 1990

Phone (208) 664-8161

Neil Dredge



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 16, 1989

CERTIFIED MAIL # 33450

RE: Permit No. 96-2309

National Associated Properties
c/o Neil Dredge
111 Sherman
Coeur d'Alene, ID 83814-4154

Dear Permit Holder(s):

Enclosed is an Order which voids the above referenced permit for failure to comply with the requirements of such permit and failure to show cause why such action should not be taken.

Please be advised that if you do not agree with the decision of the Department you may, within fifteen (15) days of receipt of the order voiding your permit, request a hearing before the Director. Failure to timely petition the Director within fifteen days of receipt of the Order may prevent you from further contesting the voiding of your permit.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS:hm

Enclosure

MICROFILMED

MAR 26 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 29, 1988

National Associated Properties
c/o Neil Dredge
111 Sherman
Coeur D' Alene, ID 83814-4154

Re: Permit to Appropriate Water No. 96-2309

Dear Mr. Dredge:

We acknowledge receipt of your letter dated April 11, 1988, in which you stated that National Associated Properties does not wish to relinquish its permit. I reviewed our files after receiving your letter.

The Department files are replete with evidence regarding continuing contact to conduct a field exam. You have repeatedly represented that the system is inoperative. In fact, it is apparent that more than ten years have elapsed with no irrigation occurring.

Under the circumstances, a license should not be issued. I will proceed with administrative action voiding Permit No. 96-2309. Should you wish to obtain a water right, you will be required to refile with the Department, and establish a new date of priority. Enclosed is an application for permit which you should complete. If you have any questions about the application, please contact our northern regional office at 4055 Government Way #9, Coeur D' Alene, ID 83814, telephone - 765-4639.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosure

CC: Northern

MICROFILMED

MAR 26 1990



RECEIVED

APR 13 1988

Department of Water Resources

NATIONAL ASSOCIATED PROPERTIES, INC., 1111 Sherman, Coeur d'Alene, Idaho 83814-4154

April 11, 1988

Department of Water Resources
State Office
1301 North Orchard Street
Boise, Idaho 83706-2237

Attention: Gary Spackman

RE: Your letter of March 16, 1988, permit to appropriate water No. 96-2309.

Dear Mr. Spackman,

We do NOT wish to relinquish our permit. After using our pumping and irrigation system for over 10 years our pump broke down and we went through a period of time where we were unable to irrigate. Because of this we also had the electric power turned off.

At this time we have contacted the power company, Northern Lights, in Sandpoint, Idaho, and have asked them to improve the line and turn on the power. We have also requested a contractor to build a pump house for us and reset, secure, and activate the pumping system again.

We will be ready for field inspection by your department in 60 days from the date of this letter.

Thank you for the opportunity to review our situation with your office.

MICROFILMED

MAR 26 1990

Sincerely,

V. NEIL DREDGE,
President

I hereby certify that on this 11TH day of April, 1988, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

VND/por



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

March 16, 1988

R. KEITH HIGGINSON
Director

National Associated Properties
c/o Neil Dredge
Box 1322
Coeur d'Alene, ID 83814

RE: Permit to Appropriate Water No. 96-2309

Dear Permit Holders:

NOTICE OF PENDING ORDER VOIDING PERMIT

On October 28, 1966 the Department of Water Resources approved an application to appropriate water, numbered 96-2309, from Pend Oreille River tributary to Columbia River, for irrigation purposes located in the NWNE, Sec. 1, T55N, R4W; S1/2SE1/4, Sec. 36, T56N, R4W, Bonner County, B.M.

Based on a field inspection conducted by a representative of our Department it has come to our attention that you have not developed the system you intended under this permit.

The purpose of this letter is to request that you relinquish your permit or explain why the Department should not void the permit. Enclosed is a relinquishment form that should be signed and returned to this office, unless you have some explanation that would prevent the Department from voiding your permit.

If you fail to respond to this notice within thirty (30) days of the date of mailing of this letter, the Department will act to void your permit. The permit will be voided on the grounds that you failed to divert and beneficially use the water that you were permitted to develop.

If you have any questions in regard to this matter, please feel free to contact our office.

Respectfully,

Gary Spackman

GARY SPACKMAN
Supervisor, Water Allocation Section

MICROFILMED

MAR 26 1990

I hereby certify that on this 17th day of March, 1988, I sent the original copy of this letter, postage prepaid, to the person and address listed above.

Sharla Curtis

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 96-2809

1. Owner: NATIONAL ASSOCIATION OF PROPERTIES Phone No. _____

Current Address: 1/2 NEW BRIDGE ROAD, PORTLAND, OR 97214

2. Accompanied by: NONE EXAM. DATE: 11/2/87

Address: NONE Phone No. _____

Relationship to Permit Holder: NONE

3. Source: NONE tributary to _____

B. OVERLAP REVIEW *if*

1. Other water rights with same place of use: NONE

☐ Copies Attached

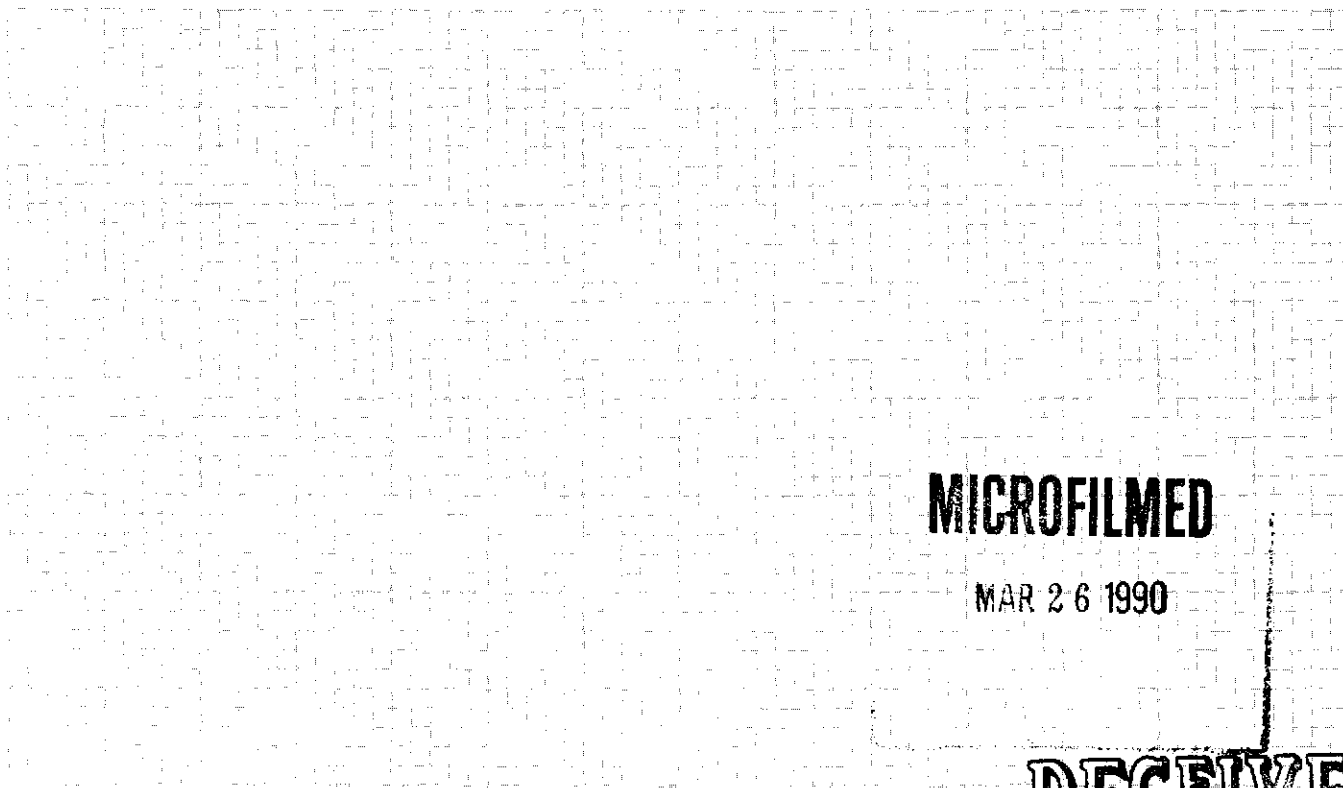
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION *NONE*

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



MICROFILMED

MAR 26 1990

RECEIVED

NOV 06 1987

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

Department of Water Resources

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

**Code to correspond with No. on map and aerial photo*

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination.

[illegible]

MAR 26 1990

WORLDWIDE

Do not use this space

D. FLOW MEASUREMENTS

NONE

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

NONE

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

NONE

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

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MAR 26 1990

MAR 26 1990

☒ Other

Field Examiner's Name

2. Recommended Amendments

Totals:				

1. RECOMMENDATIONS

-2-224142

H. REMARKS AND OVERLAP REVIEW ANALYSIS

SEE REMARK ON ATTACHED SHEET

REMARKS
ATTACHMENT TO 219A

PERMIT # 96-2309
INITIALS

DATE

5-8-78	664-8161 V. Neil Dredge - to call me	
	Noting irr - GERRIE - Russ Hickson -	JK
5-11-79	" " THIS YEAR - 664-8161	R
6-13-80	664-8161 MR D. SEZ 10 ACRES	
	TENANTS John & Nancy Green - 263-7034	
	Will call me when irr	R
7-13-80	263-7034 - NO ANS. - 664-8161 MR D. to call me	
	NOTE V. PRES PATRICK J. WARD BX 1322 CDA (METERERS)	R
← 9-10-81	664-8161 MR D. TO CALL ME	R
10-23-81	V.N.D. called - pump broken - repairman	
	skipped town - sez 30-40 ACRES - 6" MAIN	R
7-23-82	664-8161 NO ANS	R
7-26-82	Pump shot - to call next year	R
4-23-83	664-8161 - LEFT MSG - MR. D. TO CALL ME	R
5-18-84	664-8161 - NO ANS	R
6-17-84	664-8161 - TO CALL ME - PUMP IN SEATTLE	
	BEING REPAIRED	R
7-9-85	TAMMIE SPADE PARETAKING FOR GARY TYSONSKI	
	NO IRR	R
7-16-85	NOT IRR TRY IN 86 - I TOLD MR. DREDGE	
	HE WOULD HAVE TO IRRIGATE PRIOR TO	
	11-15-86 OR I WOULD HAVE TO CALL ME	R
9-2-86	PUMP NOT YET INSTALLED	R
11-17-86	VND CALLED - TKS SR	R
11-19-86	CALLED VND TO CALL ME	R
11-21-86	VND SEZ IRR WILL COMMENCE IN SPRING	R
6-29-87	664-8161 VND TO CALL ME	R
7-6-87	" VND " " "	R

MICROFILMED

MAR 26 1990

June 19, 1986

National Associated Properties
P.O. Box 1322
Coeur d'Alene, Id. 83814

Re: 96-2309

Gentlemen:

Enclosed is your Receipt No. 32197 in the amount of \$100.00 for the examination of your above-referenced permit.

If you have any questions, please contact this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TOK/pms

Enc. - Receipt

MICROFILMED

MAR 26 1990

August 4, 1986

Mr. Neil Dredge
National Assoc. Properties
P.O. Box 1322
Coeur d'Alene, Id. 83814

Re: 96-2309

Dear Mr. Dredge:

Before a license can be issued on Permit No. 96-2309, a field examination to prove beneficial use is required. During this examination, the system must be operating at its maximum.

I have contacted you each year since May of 1978 to set up an appointment for the examination. Each year you have informed me that the system is temporarily out of use, but irrigation will resume the following year. In July of 1985, I informed you that you must prove beneficial use prior to November 15, 1986, or I would be forced to commence cancellation procedures.

Please contact me prior to November 15, 1986 so that we may make an appointment to conduct the beneficial use examination and avoid cancellation.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED

MAR 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

96-2309
Permit No.

RECEIVED

NOV 06 1987

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval Department of Water Resources
☒ Computer Data Proof Report
☒ Copy of U.S.G.S. Quad
☒ Check for Government Lots. If so, make a copy of Government Plat - *MAKE COPY IF ~~PROVEN~~ B14*

Check of P/D index JK - 12/9/86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index JK 12/9/86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☐ Fully completed and signed Field Report Form
☐ Photographs of Point of Diversion and Place of Use
☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed John King 11/4/87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent JK 11/87 (Initial and date)

Exam Reviewed by Manager of Regional Office BA 11/4/87 (Initial and date)

Exam Date Entered in Computer BA 11/4/87 (Initial and date)

Exam sent to State Office BA 11/4/87 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

4/86

For Office Use Only
Fee Received 4100.00
Date 6/16/86
Receipt # 32197
Receipt by [Signature]
Sent to S.O. 6/17/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

RECEIVED
JUN 23 1986

1. Permit No. 96-2369

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE Department of Water Resources

- ☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: NEIL DREDGE/NATURAL ASSOCIATED PROPERTIES

3. Post Office Address: PO BOX 1322 COEUR D'ALENE
IDAHO 83814 Telephone No. 208 664-8161

4. Source of Water: PEND OREILLE RIVER

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 32 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted .64 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1966

8. Person to contact to accompany the department representative during the field examination:

NEIL DREDGE (Name) AS ABOVE (Address)
[Please Note: Pump has just been repaired and will not be looked up until August 1986.] (Telephone Number)

- ☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

6-10-86

Neil Dredge, President, NAP
Signature of Permit Holder (and title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN
Director

96-2309
NATIONAL ASSOCIATED PROPERTIES
P.O. BOX 1322
COEUR D'ALENE, ID 83814

138476

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. **MICROFILMED**
If you later change your decision to use this alternative and submit the fee to the department to conduct the field examination, but you may change to another certified examiner.

MAR 26 1990

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

MAR 26 1990

November 23, 1977

Re: Permit No. 96-2309

National Associated Properties, Inc.
P. O. Box 1322
Coeur d'Alene, Idaho 83814

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records. Also, enclosed is an Order of Reinstatement; please note that the priority has been advanced to October 30, 1966.

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 Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights

INTER-DEPARTMENT MEMO — 1

FROM

DATE

11/9/77

TO

File

SUBJECT

96-2309

B14 filed w/ Northern per Sharon's call.
Delay in sending to State office

MICROFILMED

MAR 26 1990

MB

SIGNATURE

Attn: Marty Brown

INTER-DEPARTMENT MEMO — 1

DATE 11-9-77

FROM Northern District Office

TO File

SUBJECT 96-2309

Mr. John A. Deeter, the original owner of the property and who filed for permit on said land, sold the property 3 years ago to National Associated Properties, Inc. At that time Mr. Deeter neglected to inform the president of National Associated Properties, Mr. Neil Dredge, about the filing of the beneficial use form. When Mr. Deeter received the notice, which was not until about the end of August, he was in the process of moving and put the notice aside. Mr. Dredge did not receive the Notice until November 3, 1977. At this time the due date was already past. (October 28, 1977) Please retain this in the file along with the enclosed Assignment of Permit for your records.


SIGNATURE

RECEIVED
NOV 11 1977

664-8161

Identification No. _____

Permit No. 96-2309

*received 11/8/77
let j at Northern
Region*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder NATIONAL ASSOCIATED PROPERTIES INC
b) Post Office Address PO Box 1322 COEUR D'ALENE IDAHO 83814
2. Permit Number 96-2309
3. Date of Priority that you are prepared to establish OCT. 19, 1966
4. a) Source from which water was appropriated PEND OREILLE RIVER
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 36
Township S6N, Range 4W, Boise Meridian, Other points of diversion: N/A
5. a) The amount of water and use to which the water has been applied:
Amount .64 cu. ft sec for irrigation purposes from 4-15 to 10-15 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 .64 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: N/A
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) PUMP AND PIPELINE TO PLACE OF USE - 3 PHASE
10 HORSEPOWER - PUMP + SPRINKLER SYSTEM.

b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A

c) Give well driller's name and address and the date the well was completed: N/A

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

11/25/77

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

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
SE $\frac{1}{4}$	4W	36															10	10	20
SSW	4W	1		12															12

Total number of acres irrigated 32

10. Remarks: _____

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

11-8-77 (Date) V. Neil Dudge (Signature) President

State of Idaho)
) ss.
 County of Bohemia)

On this 8 day of December, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Alma Berto
 Notary Public residing at Bohemia, Id

My commission expires September

INTER-DEPARTMENT MEMO — 1

FROM Martin

DATE

TO File

SUBJECT File 96-2309

Mr Deeter sold 3 yrs ago to Neil Dredge.
B/U & assignment being forwarded
to State office

MB

SIGNATURE

RECEIVED

July 29, 1977

CERTIFIED MAIL

138850

Re: Permit No. 96-2309 (Old No. 33288)

Mr. John A. Deeter
Rt. 1, Box 70A
Priest River, Idaho 83856

Dear Mr. Deeter:

One of the conditions of approval of your water Permit No. 96-2309 (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 October 28, 1977. 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED

November 20, 1970

Re: Permit No. 33288/96-2309

Mr. John A. Deeter
Route #1, Box 70A
Priest River, Idaho 83856

Dear Mr. Deeter:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until October 28, 1977, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

96-2309
33288

October 20, 1970

Re: Permit No. 33288/96-2309

Mr. John A. Deeter
Route #1, Box 70-A
Priest River, Idaho 83856

Dear Mr. Deeter:

The legal notice for the above-referenced permit is being published in the
Priest River Times, Priest River, Idaho on October 29

and November 5, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

33288
96-2309

October 20, 1970

Re: Permit No. 33288/96-2309

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

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to 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 the Department of Water Administration immediately.

The expense of the publication is to be paid by John A. Deeter, Route #1, Box 70-A, Priest River, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

96-2309
33288

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that John A. Deeter, Route 1, Box 70-A, OCT 29 1970
Priest River, Idaho, has received an approved Permit No. 33288/96-2309 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 0.64 cubic feet per second ~~add/deduct~~ per annum of water from Pend Orille River, tributary to the Columbia River.
 The priority to be established under this permit is October 19, 1966
 and the permit was approved October 28, 1966.

Water is to be diverted by motor, pump and sprinkler system
 from a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, T. 56N, R. 4W, B.M., Bonner County,
to be used for irrigation
 in the S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, T. 56N, R. 4W, B.M. and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, T. 55N,
R. 4W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 28, 1977. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
 Idaho Dept. of Water Administration

Published in the Priest River Times, Priest River, Idaho,
 on October 29 and November 5, 1970.

Permit No. 33288/96-2309

Director:

You are hereby authorized to have the above notice published at my expense in the Priest River Times of Priest River, Idaho; published in the county in which the works are situated.

(Signature)

(Address)

(Date)

33288
 96-2309

October 14, 1970

Re: Permit No. 33288 (New No. 96-2309)

Mr. John A. Deeter
Route 1, Box 70-A
Priest River, Idaho 83856

Dear Mr. Deeter:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Order
Advertising package

96-2309
33288

November 4, 1966

Re: Permit No. 33288

John A. Deeter
Route #1, Box 70A
Priest River, Idaho

Dear Mr. Deeter:

We enclose Permit No. 33288 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 33476 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit, receipt

MRB:ejw

M. RUSSELL BOSCH
Office Manager

33288

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]