



CONSERVATION PLAN MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

Bonner Soil Conservation District

OWNER Charles Sommerfeld

OPERATOR Bonner

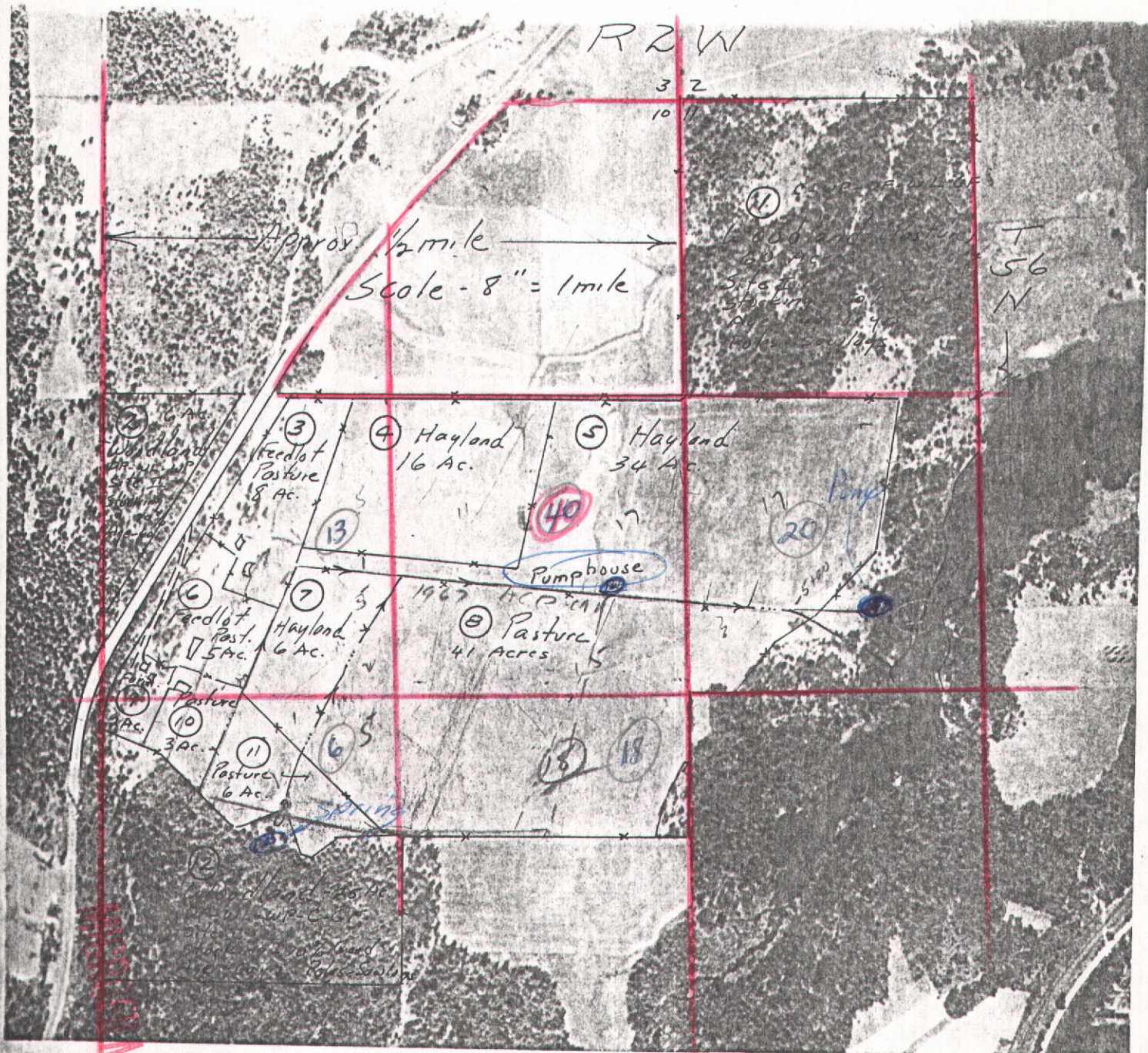
FARM NO. 615 DATE 5/10/62

SCALE 8" = 1 mi. ACRES 212

PHOTO NO. DOR - 7V-207

Idaho

STATE



40 sprinklers - Spring
30 sprinklers - Fry Cr.

96-2308

LEGEND

	Farm or Ranch Operations Boundary		Fence to be Removed		Marsh
	Ownership Boundary		Ditch to be Removed		Land Use Tie
	Field or Land Use Boundary		Intermittent Stream		Trail
	Land Use Capability or Site Boundary		Deep Gullies		Building
	Range Condition Boundary		Perennial Streams		Rock Outcrop
EC, GC, FC, PC	Range Condition		Natural Barrier		Corral
	Improved Road		Important Ridge Top		Stack Yard
	Farm Road		Cattle Guard		Farmstead
	Railroad		Wet Spot		Field or Pasture Number
			Pond or Lake		Field or Pasture Acreage
			Spring		
			Move Portable Sprinkler Lateral		

Note: When fences are combined with other symbols they may be shown as follows, = Fence along improved road, = Fence along a ditch, etc.

EXISTING

PLANNED

	Fence
	Electric Fence
	Shelterbelt
	Stream Bank Protection
	Dike or Levee
	Pipe Line or Sprinkler Main
	Permanent Sprinkler Lateral
	Portable Sprinkler Lateral
	Flume
	Canal
	Irrigation Ditch
	Direction of Irrigation
	Pickup Ditch
	Diversion Ditch
	Drainage or Waste Ditch
	Closed Drain
	Terrace
	Tide or Flood Gate

EXISTING

PLANNED

	Division Box or Turnout
	Pipe Riser
	Diversion Dam
	Check Dam or Gully Plug
	Drop or Overfall
	Dam and Reservoir
	Stock Pond
	Spring Development
	Spring and Trough
	Trough
	Well
	Windmill
	Windmill and Trough
	Water Tank
	Pump

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-2308 Priority September 19, 1966 Amount 1.03 cfs

THIS IS TO CERTIFY, that CHARLES &/or NONNA SOMMERFELD
of Sandpoint, Idaho, has complied with the terms and conditions of Permit
No. 96-2308 issued pursuant to Application for Permit dated September 19, 1966,
and has submitted proof to the Department of Water Resources on August 11, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.03 cfs of water from Fry Creek & unnamed springs
tributary to Pend Oreille Lake, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>November 15</u>	at <u>1.03</u> cfs and	<u>339.5</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
339.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, (springs);
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, (Fry Creek) Twp. 56N, Rge. 2W in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
56N	2W	10			13	40									18	6			77
		11							20										20

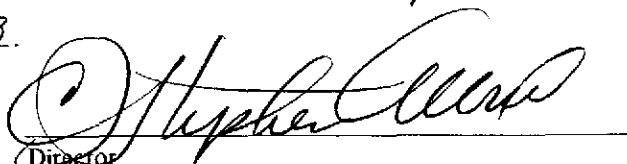
Total number of acres irrigated 97

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27 day of

February, 1978.


Director

State of Idaho
Department of Water Resources

RECEIVED

SEP 20 1976

ASSIGNMENT OF PERMIT

Department of Water Resources
Northern District Office

I, Charles E. Sommerfeld, hereby assign to Charles Sommerfeld for Nonna
of HCR 68 Bv 46 Sandpoint Id.
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 96-2308
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 20th day of Sept, 19 76.

Charles Sommerfeld
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Pootenai) ss.

On this 20 day of Sept, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that (he) (she) (they) executed the same.

seal

Robert J. Haynes
Notary Public residing at
Idaho

My commission expires:
11-20-76

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33248/96-2308)
in the name of CHARLES A. SOMMERFELD) 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,

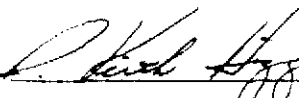
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33248 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 7, 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

96-2308
33248

33248
KO
96-232

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

APPLICATION No. 41459
PERMIT No. 33248
DISTRICT No.

1. Name of Applicant: Charles A. Sommerfeld

Postoffice address: 101 North 1st Avenue, Sandpoint 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: 1.1 cubic feet per second. 495 gallons per minute.

3. Source of water supply: Frye Creek .7 c.f.s. & unnamed /springs .4 c.f.s. in NW $\frac{1}{4}$ SE $\frac{1}{4}$, T 56 N., R 2 W., B.M. which is a tributary of Pend Oreille Lake.

4. Location of point of diversion: feet distant from the
corner of Section , T. 56 N , R. 2 W , B.M., and ~~some~~ are in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ sections 10 and 11
of section , T. 56 N , R. 2 W , B. M., County of Bonner (see remarks)

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: \$ 10,000.00

8. Kind of works: Electric motor, pumps and sprinkler irrigation 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 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.

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/ CHARLES A. SOMMERFELD *Applicant.*

By _____ *Agent.*

Date of first receipt at Department of Reclamation: September 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 33248
Recorded in Book 116 Page 33248 Approved October 7, 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 7, 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 7, 1969
The whole of said work to be completed on or before October 7, 1971
Beneficial use of water appropriated in accordance herewith, to be made on or before October 7, 1977

WITNESS My hand this 7th *day of* October, 1966.

/s/ R.KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLIE _____, 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 _____ 7th _____
day of _____ October _____, 19__ 66. _____ STATE OF IDAHO
Countersigned:

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

By /s/ ROBERT E. SMYLLIE
Governor.

REMARKS: It is planned to have two points of diversion when system is completely installed. One point will be in the drain ditch fed by springs and will be in Section 10. The other will be in Frye Creek and is in Section 11.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56 N	2 W	10 11			13	40				20						18	6	77 20	
Total number of acres to be irrigated:																		97	

Affidavit of Publication

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

L.E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of

~~NOTICE OF EXISTING WATER PERMIT in~~
~~the matter of Charles A. Sommerfeld.~~

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 19
day of November, 1970, and end-
ing on the 26 day of November,
1970, and that said notice was published in said
newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

4th day of December, 1970.

Agell Bond

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that
Charles A. Sommerfeld, Star Route,
Sandpoint, Idaho, has received an
approved Permit No. 33248/96-2308
issued by the Idaho Department
of Water Administration authoriz-
ing the diversion of 1.1 cubic feet
per second of water from Frye
Creek (.7 cfs) and unnamed springs
(.4 cfs). The priority to be estab-
lished under this permit is Sep-
tember 19, 1966 and the permit
was approved October 7, 1968.

Water is to be diverted by mo-
tor, pumps and sprinkler system
from a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec.
11; T. 56N, R. 2W, B.M., Bonner
County, to be used for irrigation
in the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10;
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11; T. 56N, R.
2W, B. M.

Proof of the application of the
water to beneficial use is to be
submitted to the Department on or
before October 7, 1977. Any pro-
tests against the issuance of the
license for the above referenced
permit should be filed with the
Idaho Department of Water Ad-
ministration within ten (10) days
of the last date of publication of
this notice or prior to the licens-
ing of the permit. Licensing may
commence prior to the date benefi-
cial use proof is due without
further notice.

R. KEITH HIGGINSON,
Director

Idaho Dept. of Water
Administration.

Published in the Sandpoint News-
Bulletin, Sandpoint, Idaho, on No-
vember 19 and November 26, 1970.
N19-26

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN **RECEIVED**

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

To Whom Billed:

Name Charles Sommerfeld
Star Route
 Address Sandpoint, Idaho

Name of Advertiser: _____

Ad No.: _____ Ad Size: x

Caption: Notice of Existing Water Permit

Insertion Dates: Nov. 19, 26

Copy:

AIO. No. 7003

11-19-70

DATE

Type of Advertising

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

☐

*33248
96-2308*

Total Space: 46 lines 25¢ = \$ 11.50
 (Col. Inches/Words) (rate) (Billing)

Address all communications to

Form No. 1
5M 1-65

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41459

Permit No. 33248

District No. _____

RECEIVED
SEP 19 1966
8:00 A.M.
Department of Reclamation

1. Name of Applicant: Charles A. Sommerfeld

Post Office address 101 North 1st Ave County Bonner State Idaho
Sandpoint

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: 1.1 (495 gpm) cubic feet per second

3. Source of water supply: Frye Creek .7 c.f.s. & unnamed springs .4 c.f.s. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ T56N, R2W
which is tributary of Pond Oreille Lake

4. Location of points of diversion: _____ feet distant from the SW $\frac{1}{4}$ NE $\frac{1}{4}$ corner
of Section 10, Twp. 56N, Rge. 2W, B. M., and SW $\frac{1}{4}$ NE $\frac{1}{4}$ (drain ditch - springs)
of Section 11, Twp. 56N, Rge. 2W, B. M., County of Bonner (Erye cr. Diversion)
(see remarks)

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: \$ 10,000.00

8. Kind of works: Electric motor, pumps & sprinkler irrigation 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.

33248

12. The time required for the completion of such work is five..... years.
13. The time required for the complete application of the water to the proposed use is six..... additional years.
14. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated.....97

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

33248

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: It is planned to have two points of diversion when system is
..... completely installed. One point will be in the drain ditch fed by springs
..... and will be in section 10. The other will be in Frye creek and is in Section 11.

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.

Charles A. Sommerfeld
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.

33248

Approval of State Reclamation Engineer

The number of this permit is **33248**

Recorded in Book **33248** Page **OCT 7 1966** 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 7, 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 7, 1969**

The whole of said work to be completed on or before **October 7, 1971**

Beneficial use of water appropriated in accordance herewith, to be made on or before **October 7, 1977**

Witness my hand this **7th** day of **October**

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 **7th** day of **October**, **1966**

Countersigned:

STATE OF IDAHO

By **Louis E. Clapp** Secretary of State.

By **Robert E. Smyllie** Governor.

No. **33248**

PERMIT

Date of first receipt at office of State
Reclamation Engineer

September 19, 1966 8:00 A.M.
Returned to applicant for correction

Corrected application received

Fees, \$ **5.25**

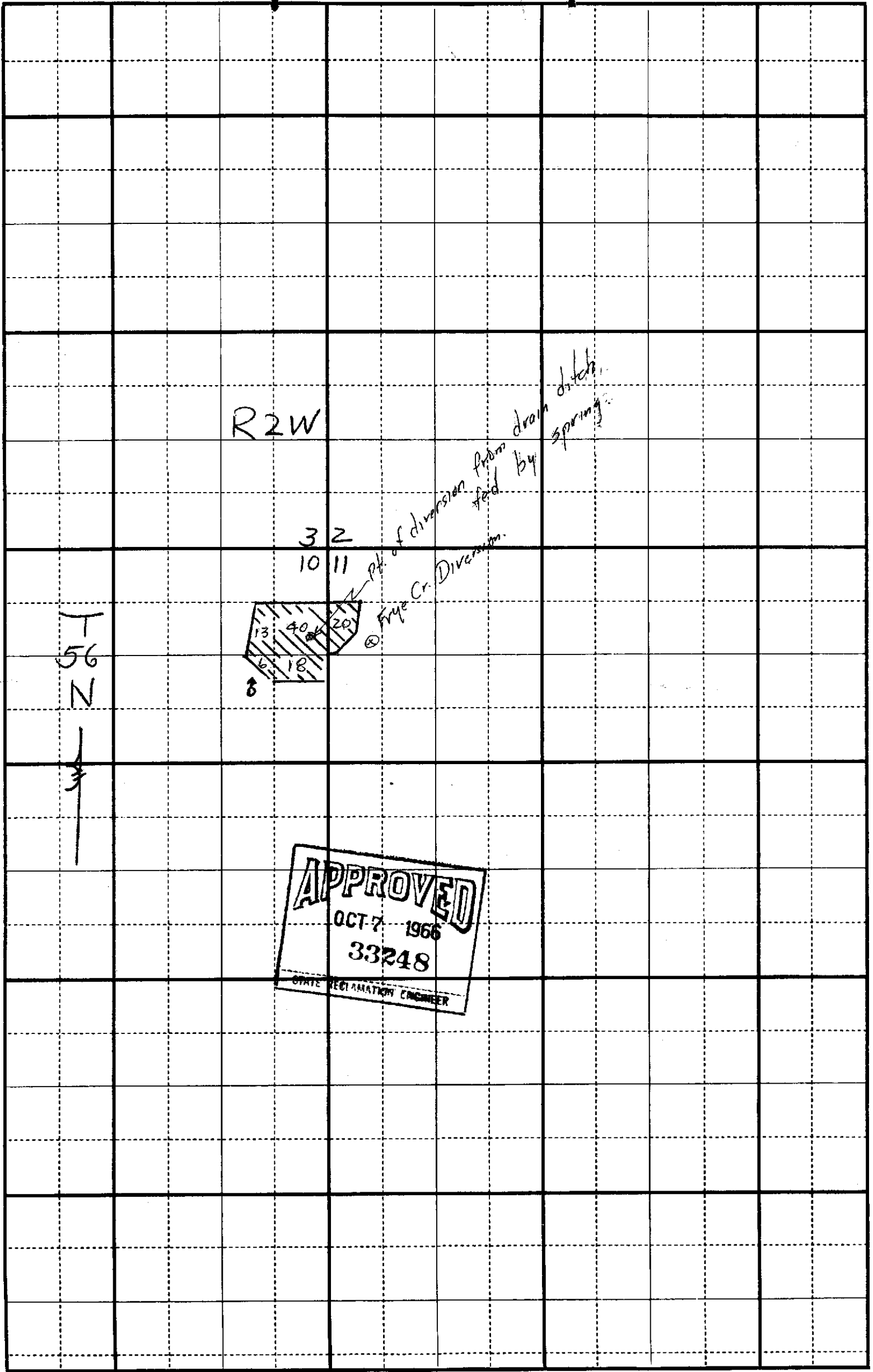
FILING FEES FOR USE PERMIT:

For the first Sec. Ft. **\$5.00**

For each additional Sec. Ft. or Fraction

Thereof **.25**

33248



February 28, 1978

Re: Permit No. 96-2308

Charles &/or Nonna Sommerfeld
101 North First
Sandpoint, ID 83864

Dear Mr. and Mrs. Sommerfeld:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

RECEIVED

February 1, 1978

Re: Permit No. 96-2308

Mr. & Mrs. Charles Sommerfeld
101 North First
Sandpoint, Idaho 83864

Dear Mr. & Mrs. Sommerfeld:

A representative of this Department made an examination of the works covered by your Permit No. 96-2308 on August 11, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.03 cfs Source: Fry Creek & unnamed spring

The maximum quantity diverted shall not exceed 339.5 acre feet per year.

Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10 & SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11, Twp 56N-Rge. 2W, B.M.

Beneficial use: Irrigation of 97 acres

Priority date established: September 19, 1966

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

Sincerely,

BOB D. FLEENOR
Chief Operations Bureau

BDF/Jan

RECEIVED
FEB 1 1978

RECEIVED

AUG 25 1976

Department of Water Resources
Phone ~~Northern District Office~~

Person to contact _____ Phone _____

Tributary to Pend Oreille Lake (name spring, stream, etc.)

Other uses: _____

Permit No. 96-2308
Examination for b/u

Other Points of Diversions: _____

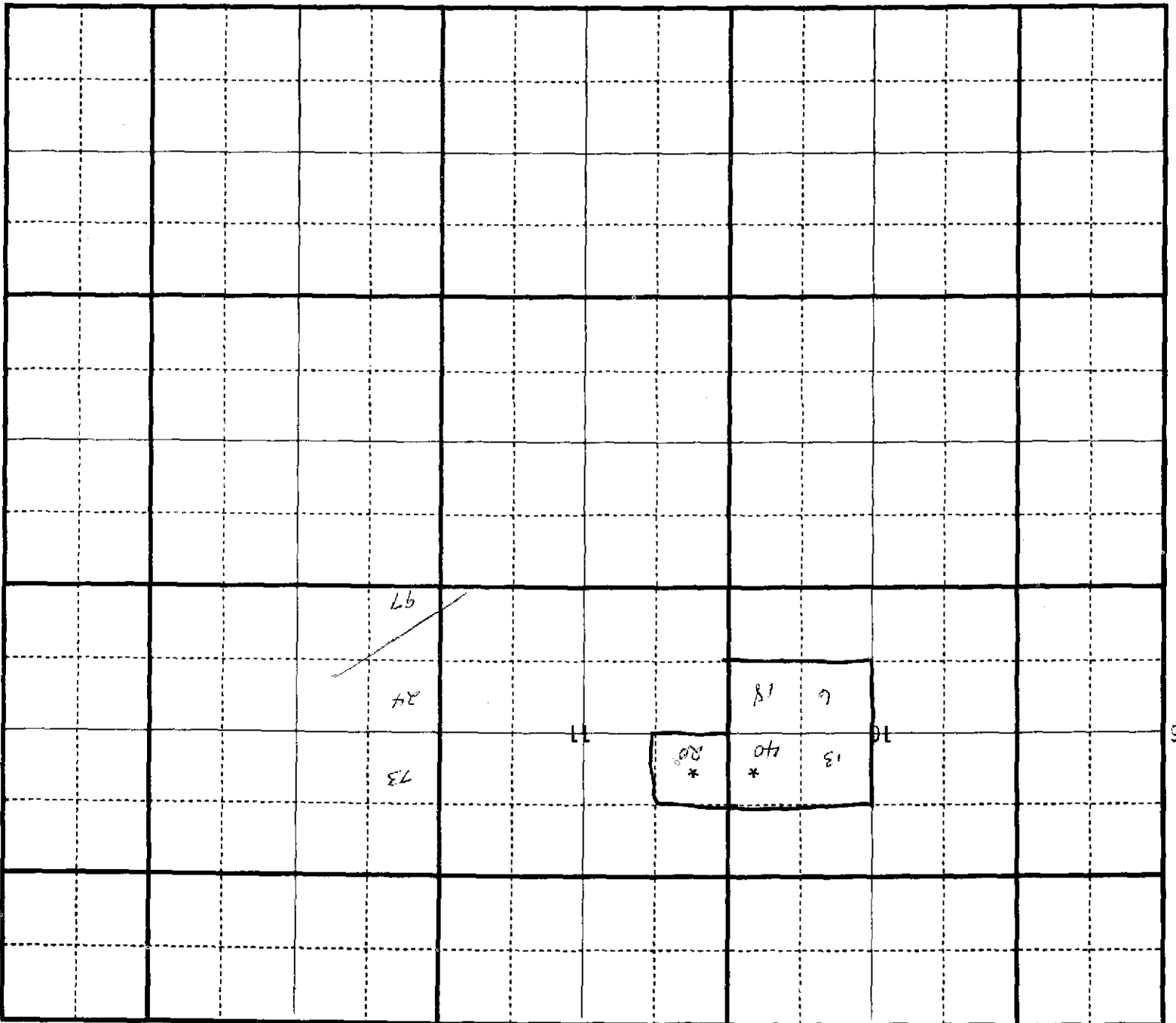
Description of diverting works: electric motor, pumps and sprinkler irrig. system

Measuring device required: yes ☐ no ☒

[illegible]**TOTAL ACREAGE**

97

Diagram of System



N
56
T

OUR SOIL * OUR STRENGTH



CONSERVATION PLAN MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

Bonner Soil Conservation District

OWNER

Charles Sommerfeld

FARM NO.

615

DATE

5/10/62

OPERATOR

Bonner

Idaho

SCALE

8" = 1 mi.

ACRES

212

PHOTO NO. DOR-7V-207



sprinklers - Spring
30 sprinklers - Fry Cr.

96-2308

LEGEND

	Farm or Ranch Operations Boundary		Fence to be Removed		Marsh
	Ownership Boundary		Ditch to be Removed		Land Use Tie
	Field or Land Use Boundary		Intermittent Stream		Trail
	Land Use Capability or Site Boundary		Deep Gullies		Building
	Range Condition Boundary		Perennial Streams		Rock Outcrop
EC, GC, FC, PC	Range Condition		Natural Barrier		Corral
	Improved Road		Important Ridge Top		Stack Yard
	Farm Road		Cattle Guard		Farmstead
	Railroad		Wet Spot		Field or Pasture Number
			Pond or Lake		Field or Pasture Acreage
			Spring		
			Move Portable Sprinkler Lateral		

Note: When fences are combined with other symbols they may be shown as follows, = Fence along improved road, = Fence along a ditch, etc.

EXISTING	PLANNED	EXISTING	PLANNED
			Division Box or Turnout
			Pipe Riser
			Diversion Dam
			Check Dam or Gully Plug
			Drop or Overfall
			Dam and Reservoir
			Stock Pond
			Spring Development
			Spring and Trough
			Trough
			Well
			Windmill
			Windmill and Trough
			Water Tank
			Pump

MAPPING INFORMATION
CONSERVATION PLANS

District name, work unit, or county					Bonner Soil Conservation District				
Operator					Charles Sommerfield				
Scale					Acres				
					212				
					Planned				
					Surveyed				
					By				
					Date				
					Farm No.				
					615				
					Photo No.				
					7V-207				

[illegible]

USE SPACE BELOW FOR NOTES OR SKETCHES WHEN NEEDED

Woodland	91	acres
Pasture	73	"
Hayland	56	"
Miscellaneous	2	"
(Farmstead)		
TOTAL:	212	acres

WOODLAND LEGEND

Species present in woodland as follows:

P.P. - Ponderosa Pine	D.F. - Douglas Fir
W.P. - White Pine	W.F. - White Fir
C. - Cedar	S. - Spruce
L. - Larch or Tamarack	H. - Hemlock
L.P. - Lodgepole Pine	Alp. F. - Alpine Fir

AGE- Average age of stand in years.

TYPE or productive capacity of woodland as follows:

Site I - Excellent
Site II - Very Good
Site III - Good
Site IV - Fair

STOCKING OR DENSITY OF STAND EXPRESSED IN % OF
WHAT COULD BE GROWING.

SIZE CLASS or diameter ranges as follows:

Saplings - 0" to 5"
Poles - 6" to 12"
Sawlogs - 12" plus

NOTE

Show field numbers on land use map or photograph. Then list field numbers, field acreages, and land use in the table provided at left if required on the land use map or photograph.

North arrow, section corners, range and township numbers, should be shown on all maps and aerial photographs. Underline on the back of this sheet all symbols used on the accompanying map or photograph. Add and identify additional symbols.

(OVER)

DATE OF EXAM 8/11/77

ACREAGE
Found 97 acres
Recommended 97 acres

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.03 c.f.s. V = 339.5 AF/Ann. from 3/15 to 11/15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.03 cfs Method of measurement pressure gauge

Total Q recommended 1.03 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 339.5

Recommended Amendments:

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

MEASUREMENT CALCULATION:

"Spring System" "Fry Cr. System"
 $40 \text{ nozzles} \times 6.57 \text{ gal/nozzle} = 448.8 = .59 \text{ cfs}$ $30 \text{ nozzles} \times 6.57 \text{ gal/nozzle} = 448.8 = .44 \text{ cfs}$
Total Diversion = 1.03 cfs
Total Volume = 339.5 c.f. $97 \text{ acre} \times 3.5 = 339.5$

SYSTEM DESCRIPTION:

Spring System	Fry Cr. System
General Electric	J.S. Electric Motor Inc.
15 H.P.	7 1/2 hp
Serial N 11759	Serial 2717956
5" mainline 40 sprinklers	4" mainline 30 sprinklers
1/4" x 3/32" 6 1/2 gal/nozzle (35 lbs)	1/4" x 3/32" 6 1/2 gal/nozzle (35 lbs)

REMARKS:

Water from Fry Creek can be pumped into the Spring system when it is low. Spring is also used for domestic and livestock water but constitutional rights have been established for these purposes.

Examiner's Signature [Signature] Date 8/11/77

Checked by Bob Haynes Date 8/15/77

Approved by _____ Date _____

October 5, 1976

Charles E. &/or Nonna Sommerfeld
HCR 68, Box 46
Sandpoint, Idaho 83864

Dear Mr. & Mrs. Sommerfeld:

We acknowledge receipt of the assignment conveying Permit No. 96-2308 to your name. The assignment has been recorded and the Department's records have been changed.

Also enclosed is an Order of Reinstatement for permit no. 96-2223; please note that the priority has been advanced to September 20, 1965.

Sincerely,

JANICE RENK
Water Rights Bureau

Jr

Enclosure

Identification No. _____

Permit No. _____

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources
Northern District Office

1. a) Name of Permit Holder Charles E Sommerfeld for Norma Sommerfeld
b) Post Office Address HCR 68 Bx 46 Sand Point Id.
2. Permit Number 96-3308
3. Date of Priority that you are prepared to establish Sept 19, 1966
4. a) Source from which water was appropriated Frye Creek (0.7 cfs) / unnamed Spring (0.4 cfs)
b) Location of the point of diversion: NW 1/4 SE 1/4, Section 10
Township 56N, Range 2W Boise Meridian, Other points of diversion: SE 1/4 Sec 10, SW NW Sec 11, T66N R2W BM
5. a) The amount of water and use to which the water has been applied:
amount 1.1 for irrigation purposes from Mar 15 to Nov 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount 1.1 for Stock purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.1 cfs cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
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) Motor, Pumps & sprinkler System
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

*Duplicate
proof affidavit*

92-02-11

Robert G. Haynes

State of Idaho)
County of Kootenai) ss.

~~(Signature)~~

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

Total number of acres irrigated

[illegible]

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

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

August 24, 1976

Re: Permit No's. 96-2308 and 96-2293

Charles A. &/or Nonna Sommerfeld
101 No. 1st
Sandpoint, Idaho 83864

Dear Mr. & Mrs. Sommerfeld:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit no. 96-2308.

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

This letter is also a reminder that Permit No. 96-2293 lapsed on July 23, 1976. If you are interested in this permit, please submit proof of beneficial use for this permit before September 21, 1976. A proof of beneficial use form has been enclosed for your use. For each day that proof is late the permit will lose one day of priority.

If you have any questions regarding these matter, please contact our Northern Region office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosure

1

RECEIVED

Identification No. _____

AUG 19 1976

Permit No. _____

STATE OF IDAHO
Department of Water Resources

DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 16 1976 OK

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources
Northern District Office

1. a) Name of Permit Holder Charles A. Sommerfeld
b) Post Office Address HCR 68-Bx46 Sandpoint. Id. 83864
2. Permit Number 96-2308
3. Date of Priority that you are prepared to establish 9-19-66
4. a) Source from which water was appropriated Fry Creek @ 7675.4 cfs
b) Location of the point of diversion: SW 1/4 NW 1/4, Section 11
Township 56N, Range 2W Boise Meridian, Other points of diversion: SE NE Sec 10, T56N, R2W B.M.
5. a) The amount of water and use to which the water has been applied:
Amount 1.1 cfs for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.14 for Domestic purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 1.06 for liv purposes from Mar 15 to Nov 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.1 cfs / 515.2 AF/Ann 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: _____
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) _____
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
SW NW Sec 11, T56N, R2W B.M. and NW 1/4 of SW 1/4 NE 1/4 of NE 1/4 and SW 1/4 of NE 1/4 and SE 1/4 of NE 1/4 and SW 1/4 of SE 1/4 and SE 1/4 of SE 1/4 all in Sec. 10 T.56 N. R. 2 W. B.M.

2000 0000 5-2476

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
50N	2W	11							35			15							50
56N	2W	10	20		20	40											20		120

Total number of acres irrigated 170

10. Remarks: We want to irrigate all the Cloud land

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

8-13-76
 (Date)

Charles A. Sommerfeld
 (Signature)

State of Utah)

County of Box Elder) ss.

On this 13 day of August, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Herman C. Sommerfeld
 Notary Public residing at Sandpoint

My commission expires 12-14-76

Reply Message

Fold at Guide Mark to Mail in Window Envelope.

T
ODept. of Water
CDA, Ida. 83814F
R
O
M

SOMMERFELD REALTY

101 NORTH FIRST AVE. - 263-3163

SANDPOINT, IDAHO 83864

SUBJECT

Areil Map and Application

DATE

8 - 14-76

FOLD — MESSAGE

Dear Sir: I hope this is what you wanted, I have not been able to catch any one to help me, Even in your office, so please do what ever is necessary to finish this . and send us anothe Map as this is our old one. and thank you very Kindly.

Sincerely

Nonna Sommerfeld

*Nonna Sommerfeld
for Chas. Sommerfeld*

ORIGINATOR-DO NOT WRITE BELOW THIS LINE

REPLY TO → SIGNED

REPLY

DATE

SIGNED

SEND WHITE AND PINK COPIES WITH CARBONS INTACT. PINK COPY IS RETURNED WITH REPLY.

December 10, 1970

Re: Permit No. 33248/96-2308

Mr. Charles A. Sommerfield
Star Route
Sandpoint, Idaho 83864

Dear Mr. Sommerfield:

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 7, 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

96-2308
33248

November 4, 1970

Re: Permit No. 33248/96-2308

Mr. Charles A. Sommerfield
Star Route
Sandpoint, Idaho 83864

Dear Mr. Sommerfield:

The legal notice for the above-referenced permit is being published in the
Sandpoint News-Bulletin, Sandpoint, Idaho on November 19
and November 26, 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

33248
96-2308

November 4, 1970

Re: Permit No. 33248/96-2308

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, Idaho 83864

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 Charles Sommerfield, Star Route, Sandpoint, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

33248
96-2308

NOTICE OF EXISTING WATER PERMIT

RECEIVED
Idaho Department of Water Administration

Notice is hereby given that Charles A. Sommerfeld, Star Route, 101 North 1st Avenue, Sandpoint, Idaho, has received an approved Permit No. 33248/96-2308 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 1.1 cubic feet per second ~~1.1 cfs~~ per annum of water from Frye Creek (.7 cfs) and unnamed springs (.4 cfs). The priority to be established under this permit is September 19, 1966 and the permit was approved October 7, 1966.

Water is to be diverted by motor, pumps and sprinkler system from a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11; T. 56N, R. 2W, B.M., Bonner County, to be used for irrigation in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 11; T. 56N, R. 2W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 7, 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 Sandpoint News Bulletin, Sandpoint, Idaho, on November 19 and November 26, 1970.

Permit No. 33248/96-2308

Director:

You are hereby authorized to have the above notice published at my expense in the Sandpoint News Bulletin of Sandpoint, Idaho; published in the county in which the works are situated.

Charles Sommerfeld
(Signature)

Sandpoint Idaho
(Address)

Oct 27-1970
(Date)

Star Route

96-2308
33208

October 14, 1970

Re: Permit No. 33248 (New No. 96-2308)

Mr. Charles A. Sommerfeld
101 North 1st Avenue
Sandpoint, Idaho 83864

Dear Mr. Sommerfeld:

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

33208
96-2308

October 17, 1966

Re: Permit No. 33248

Charles A. Sommerfeld
101 North 1st Avenue
Sandpoint, Idaho

Dear Mr. Sommerfeld:

We enclose Permit No. 33248 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. 33443 which was issued covering payment in the amount of \$ 5.25 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit, receipt

M. RUSSELL BOSCH
Office Manager

MRB:ejw

33248

September 19, 1966

33248

RE: Application for Permit

Charles A. Sommerfeld
101 North 1st Avenue
Sandpoint, Idaho

Dear Mr. Sommerfeld:

Returned herewith is your application for permit. In checking we find the application does not agree with the maps. You indicate one point of diversion as being SE 1/4, Section 10, this one agrees however, the other one according to the map should be SW 1/4, Section 11.

Please make the necessary corrections and return promptly.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Application
Check #307

33248

33248

August 25, 1966

RE: Application for Permit

Charles A. Sommerfeld
101 North 1st Avenue
Sandpoint, Idaho

Dear Mr. Sommerfeld:

Returned herewith is your application for permit. In checking the application it is noted you list the point of diversion on the application as being in the SE¹/₄ NW¹/₄, Section 11, however, your map indicated the point of diversion as being in the SE¹/₄ NW¹/₄, Section 10. Please make the necessary corrections to make the two agree and return to this department.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Application
Check #307

33248