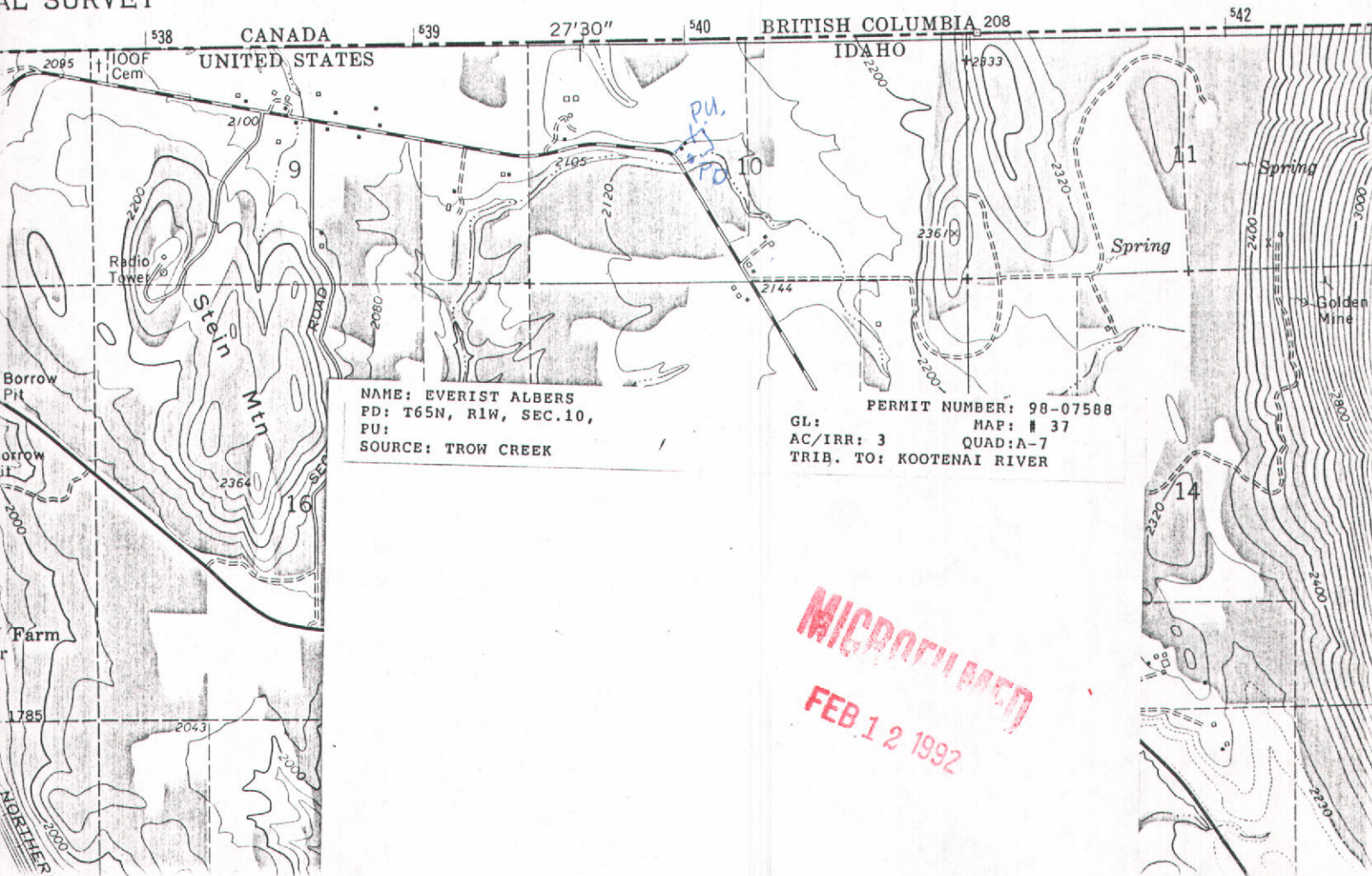


EASI FILE CORP, IRVINE, CA

EFH 24

STATES
OF THE INTERIOR
AL SURVEY



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07588

Priority: July 5, 1983

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

4.1 AF

This is to certify, that JOSEPHINE N ALBERS
EVARIST V ALBERS

PO BOX 16

PORTHILL ID 83853

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 5, 1983; and has submitted Proof of Beneficial Use on September 15, 1988. An examination indicates that the works have a diversion capacity of .260 cfs of water from:

TROW CREEK

tributary to KOOTENAI 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	0.03 CFS	3.9 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
	Totals	0.04 CFS	4.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 10, Township 65N, Range 01W
BOUNDARY 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>
65N	01W	10	NESW	1.3		1.3

Total number of acres irrigated: 1.3

PLACE OF USE: STOCKWATER, same as IRRIGATION use

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 which 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.

FEB 12 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

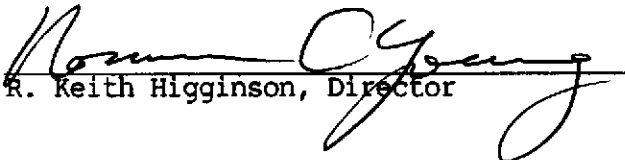
WATER RIGHT NO. 98-07588

CONDITIONS/REMARKS:

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.
6. Stockwater use is for 4 range cattle.

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 9TH day of DECEMBER, 1991.

Acting for


R. Keith Higginson, Director

FEB 12 1992

RECEIVED

JUL 5 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

Department of Water Resources
Northern District Office

To appropriate the public waters of the State of Idaho

JOSEPHINE N. ALBERS E/O ✓

1. Name of applicant ELARIST V. ALBERS Phone 267-3089Post office address BOX 16 PORTHILL ID 838532. Source of water supply TROW CREEK which is a tributary of KOOTENAI RIVER3. Location of point of diversion is NE ¼ of SW ¼ of Section 10 Township 65NRange 1W B.M. BOUNDARY County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 for STOCK WATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 0.06 for IRRIGATION purposes from 3/31 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WATER TANK, FLUME, PIPE
WATER GATE

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE ¼ of SW ¼ of Section 10 Township 65NRange 1W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 10-12 CATTLE

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

WEDNESDAY

Total number of acres to be irrigated

3

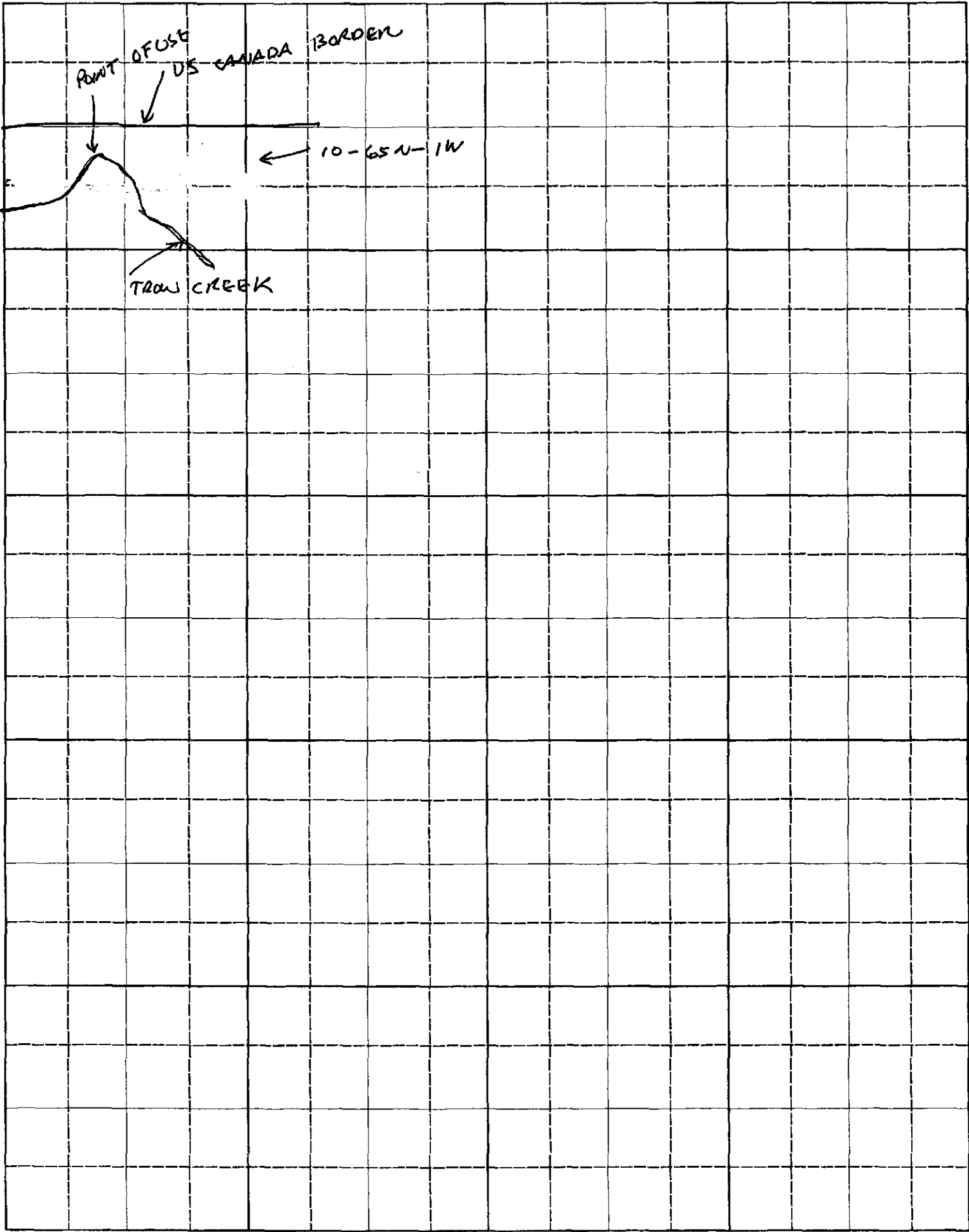
APPLICANT

APPLICANT

applicant to make this filing

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

MICROFILMED

Josephine N. Albers
(Applicant)

RECEIVED

Proposed Priority 7/5/83
Received by RWB Date 7/5/83 Time 12:45 PM
Preliminary check by RWB Date 7/6/83 Fee \$ 30.00
Received by RWB Date 7/6/83 # 28708
Publication prepared by RWB Date 7/29/83
Published in Bonanza Farming Herald
Publication dates 8/11 - 8/18/83 - 10/20-27/83
Publication approved mr Date 11/9/83
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RWB kw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7588, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 88.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 23rd day of November, 1983.

A. Glen Saylor
Chief, Operations Bureau

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 98-7588 in the name of Josephine N. &/or Evarist V. Albers was advertised incorrectly on 8/11 and 8/18. 1983.

One of the uses was incorrectly advertised as Domestic (0.002 CFS);

Whereas, correctly it should be Stock (0.02 CFS).

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before November 7, 1983.

KEN DUNN, Dir.

Published in the Bonners Ferry Herald on 10/20 and 10/27, 1983.

AFFIDAVIT OF PUBLICATION

OF IDAHO }
of Boundary } ss.

Alice Winn, bkar for Pete Thomson
being
ly sworn upon his oath, deposes and says that he is the publisher
publisher
being
foreman)

Bonners Ferry Herald, a newspaper of general circulation, published weekly at s Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has atinuously and uninterruptedly published in said Boundary County during a period onths or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Notice of Correction: Permit # 98-7588

a

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated October 20, 1983, and ending with the issue dated October 27, 1983, 1983.

Subscribed and sworn to before me this 1 day of November, 1983

[Signature]
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

RECEIVED
NOV 8 1983
Department of Water Resources
Northern District Office

[Signature]
11/9/83

NOTICE OF CORRECTION

NO RECORDS SECURITY GIVEN that Applicant
is serving the House of Representatives H. R./of
the House of Representatives on 8/11 and 8/
and is currently serving.

KEN BUNN, Dir.
the Bonners Ferry Herald on

AFFIDAVIT OF PUBLICATION

RECEIVED
NOV 8 1983

NOV 8 1960
Department of Water Resources
Northern District Office

STATE OF IDAHO } ss.
County of Boundary }

Alice Winn, bkpr for Pete Thompson being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)
Publisher
Department of
Northern Dist.

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Notice of Correction: Permit # 98-7588

a

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated October 20, 1983, and ending with the issue dated October 27, 1983 19 .

Subscribed and sworn to before me this 1 day of November, 1983

Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

~~Alice Winn, broker for Pete Thompson~~ being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)
publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Notice of Correction: Permit # 98-7588

a _____

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for ² consecutive issues, commencing with the issue dated October 20, 1983, and ending with the issue dated October 27, 1983, 19____.

Alice Winn

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 98-7588
in the name of Josephine N. &/or Evarist V. Albers
was advertised incorrectly on 8/11 and 8/18, 1983.

One of the uses was incorrectly advertised as Domestic (0.002 CFS);
whereas, correctly it should be Stock (0.02 CFS).

Our error

Protests to the above-referenced correction must be filed with the Director,
Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or
before November 7, 1983.

KEN DUNN, Dir.

Published in the Bonnors Ferry Herald on
10/20 and 10/27, 1983.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before AUGUST 29, 1983.

KEN DUNN, Dir.

First publication August 11, 1983

Final publication August 18, 1983-dwr

98-7588

ALBERS, JOSEPHINE N. &/or EVARIST V.

P.O. BOX 16, PORTHILL, ID 83853

Source: TROW CREEK trib. to KOOTENAI RIVER

Date Filed: 07/05/1983

Diversion Pt: NESW Sec 10 T 65N R 01W

Use: IRRIGATION

DOMESTIC *Stock* *our ERROR* (0.06 CFS)

In: NESW Sec 10 T 65N R 01W FOR 3 ACRES (0.002 CFS)

98-7589

BUNYARD, DONALD L.

1521 N. 19TH ST., COOS BAY, OR 97420

Source: MOYIE RIVER trib. to KOOTENAI RIVER

Date Filed: 06/24/1983

Diversion Pt: NWSE Sec 26 T 65N R 02E

Use: IRRIGATION

WILDLIFE STORAGE (0.05 CFS)

RECREATION STORAGE (1.0 AF)

DIVERSION TO STORAGE (1.0 AF)

In: NWSE Sec 26 T 65N R 02E FOR 2 ACRES (0.20 CFS)

98-7590

PARAGON RANCH

P.O. BOX 562, MOYIE SPRINGS, ID 83845

Source: UNNAMED LAKES trib. to KOOTENAI RIVER

UNNAMED STREAMS trib. to KOOTENAI RIVER

Date Filed: 07/18/1983

Diversion Pt: NENW NWNE SWNE SWNW NESW SESW

Sec 34 T 62N R 03E

Use: IRRIGATION

IRRIGATION STORAGE (0.70 CFS)

IRRIGATION FROM STORAGE (5.0 AF)

STOCKWATER (5.0 AF)

STOCKWATER STORAGE (0.02 CFS)

In: NWNE SWNE NENW NWNW SWNW NESW SESW Sec 34 T 62N R 03E NENW SESW Sec 34 T 62N R 03E FOR 40 ACRES (2.0 AF)

98-7591

FLORY, ALVIN J.

RT. 1 BOX 412, BONNERS FERRY, ID 83805

Source: SPRING trib. to KOOTENAI RIVER

Date Filed: 06/24/1983

Diversion Pt: NESW Sec 08 T 65N R 01W

Use: IRRIGATION

IRRIGATION STORAGE (0.04 CFS)

IRRIGATION FROM STORAGE (1.0 AF)

STOCKWATER (1.0 AF)

In: LOT 01 (NESW) LOT 01 (SESW) Sec 08 T 65N R 01W NESW Sec 08 T 65N R 01W FOR 2 ACRES (0.02 CFS)

98-7592

BARTON, DONALD K.

STAR RT. 3 BOX 214, BONNERS FERRY, ID 83805

Source: GROUNDWATER

Date Filed: 06/30/1983

Diversion Pt: SWSW Sec 09 T 62N R 02E

Use: IRRIGATION

DOMESTIC

In: SWSW Sec 09 T 62N R 02E FOR 1 ACRES

(0.02 CFS)

(0.04 CFS)

98-7593

EVERHART, JERRY J. &/or JUDY H.

P.O. BOX 215, BONNERS FERRY, ID 83805

Source: CURLEY CREEK trib. to KOOTENAI RIVER

Date Filed: 06/29/1983

Diversion Pt: NENE SENE Sec 10 T 61N R 03E

Use: STOCKWATER

DOMESTIC

In: NENE SENE NESE Sec 10 T 61N R 03E

(0.02 CFS)

(0.04 CFS)

98-7594

WEDEL, DEWAYNE &/or EUGENIA

STAR RT. 1 BOX 30, BONNERS FERRY, ID 83805

Source: SPRING trib. to KOOTENAI RIVER

Date Filed: 07/21/1983

Diversion Pt: NWNE Sec 28 T 63N R 01E

Use: STOCKWATER

DOMESTIC

In: NENE NWNE SENE SWNE Sec 28 T 63N R 01E

(0.12 CFS)

(0.04 CFS)

RECEIVED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

SEP 26 1983

Alice Winn, bkpr for Pata Thompson Department of Water Resources being
first duly sworn upon his oath, deposes and says that Pata Thompson (or foreman)
Publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Notice of Application for Water Right

98-7588, 7590, 7591, 7592, 7593, 7594

a _____

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated August 11, 1983, and ending with the issue dated August 18, 1983.

Subscribed and sworn to before me this 30 day of August, 1983

Alice Winn
James Dinning
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

MICROFILMED

December 10, 1991

JOSEPHINE N ALBERS
EVARIST V ALBERS
PO BOX 16
PORTHILL ID 83853

RE: WATER RIGHT NO. 98-07588

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:blm

Enclosure

FEB 18 1992

October 17, 1991

JOSEPHINE N ALBERS
EVARIST V ALBERS
PO BOX 16
PORTHILL ID 83853

RE: WATER RIGHT NO. 98-07588

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
Technical Records Specialist

SC:blm

Enclosure

NOT RECORDED

FEB 12 1992

For
12-9-91

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 98-07588

1. Owner: Josephine & Evarist V. Albers
Current Address: Box 16 Porthill ID 83853

Phone No. 267-3089

2. Accompanied by: Evarist V. Albers
Address: Same
EXAM. DATE: 6/20/90
Phone No. Same

Relationship to Permit Holder: _____

3. Source: Trow Creek tributary to Kootenai River

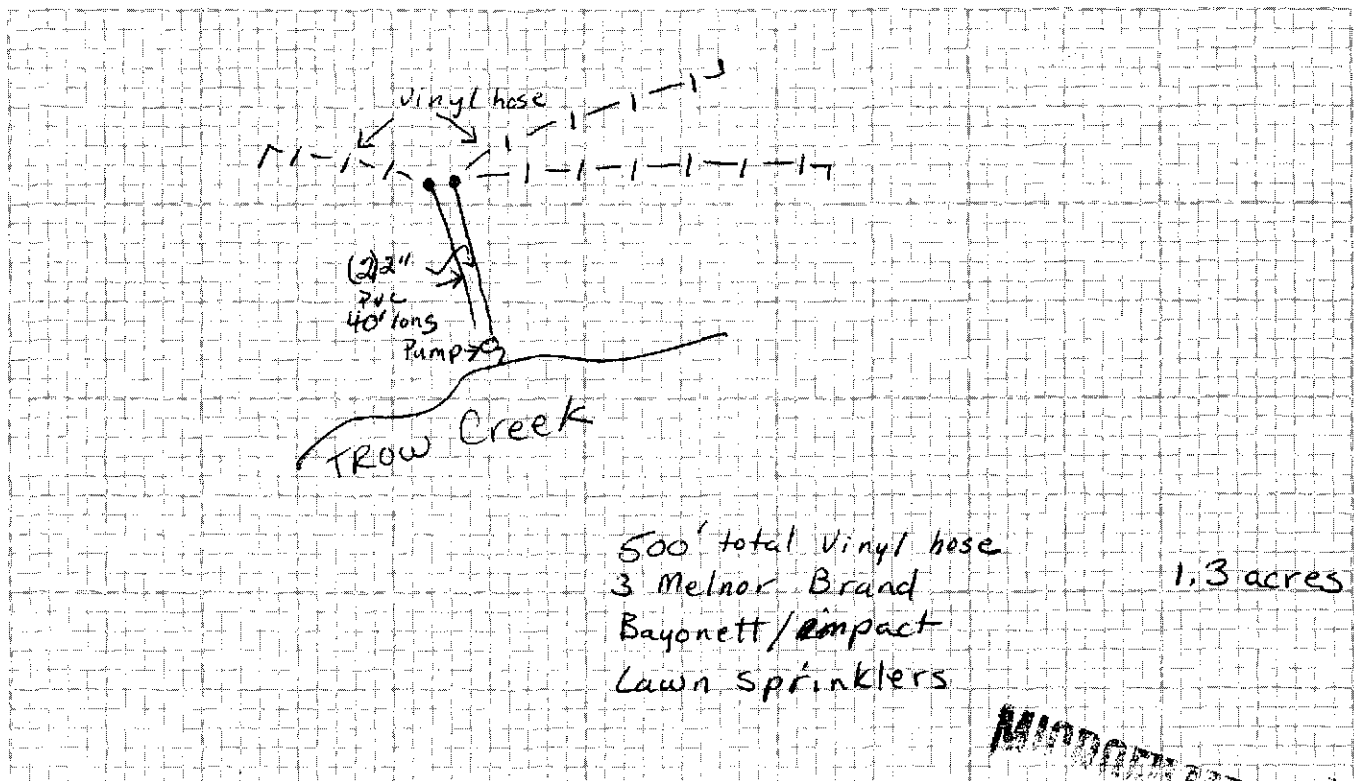
B. OVERLAP REVIEW

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. **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" = NTS

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.

(Photo did not develop

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

MINUTEMAN
FEB 12 1992

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

5hp Homelite gas powered pump is inserted into creek to supplement water from Traw Creek Water Assn. 2 (2 inch) pvc pipes, 40 feet in length carry water to 500 feet $5/8$ " vinyl hose, ~~with~~ 3 lawn sprinklers (Melnor Brand Bayonet/impact) are used to water 1.3 acres. Mr. Albers says he doesn't use the water late in the season so as to make it available for downstream users. Stock watered with hose also.

☐ See Remarks on page 4 for continuation

☐ 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
	Home life	5 hp			1549-5028-1054

*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]

Do not use this space

D. FLOW MEASUREMENTS

☐ 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

1. Measured Method:

$$\frac{(5)(8.8)(70\%)}{(2.31)(45) + 5} = \frac{30.8}{118.95} = 0.26$$

4 stock 1.3 acres

2. Alternate Method for Checking Purposes:

0.26 system Capacity

0.04 cfs limited by permit.

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:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.3 \times 30 = 3.9$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .04 \times 180 \times 1.9835 = 14.28$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.9$$

2. Volume Calculations for Other Uses:

4. Stock 1.3 acres

RECEIVED
FEB 12 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (cfs)
	From	To		
Irrigation	3/31	11/1	.04	3.9
Stockwater	1/1	12/1	.02	.2
Totals:			.04	4.1

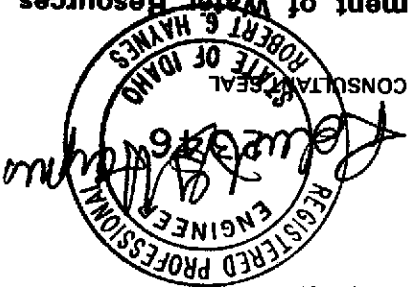
2. Recommended Amendments

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

J. AUTHENTICATION

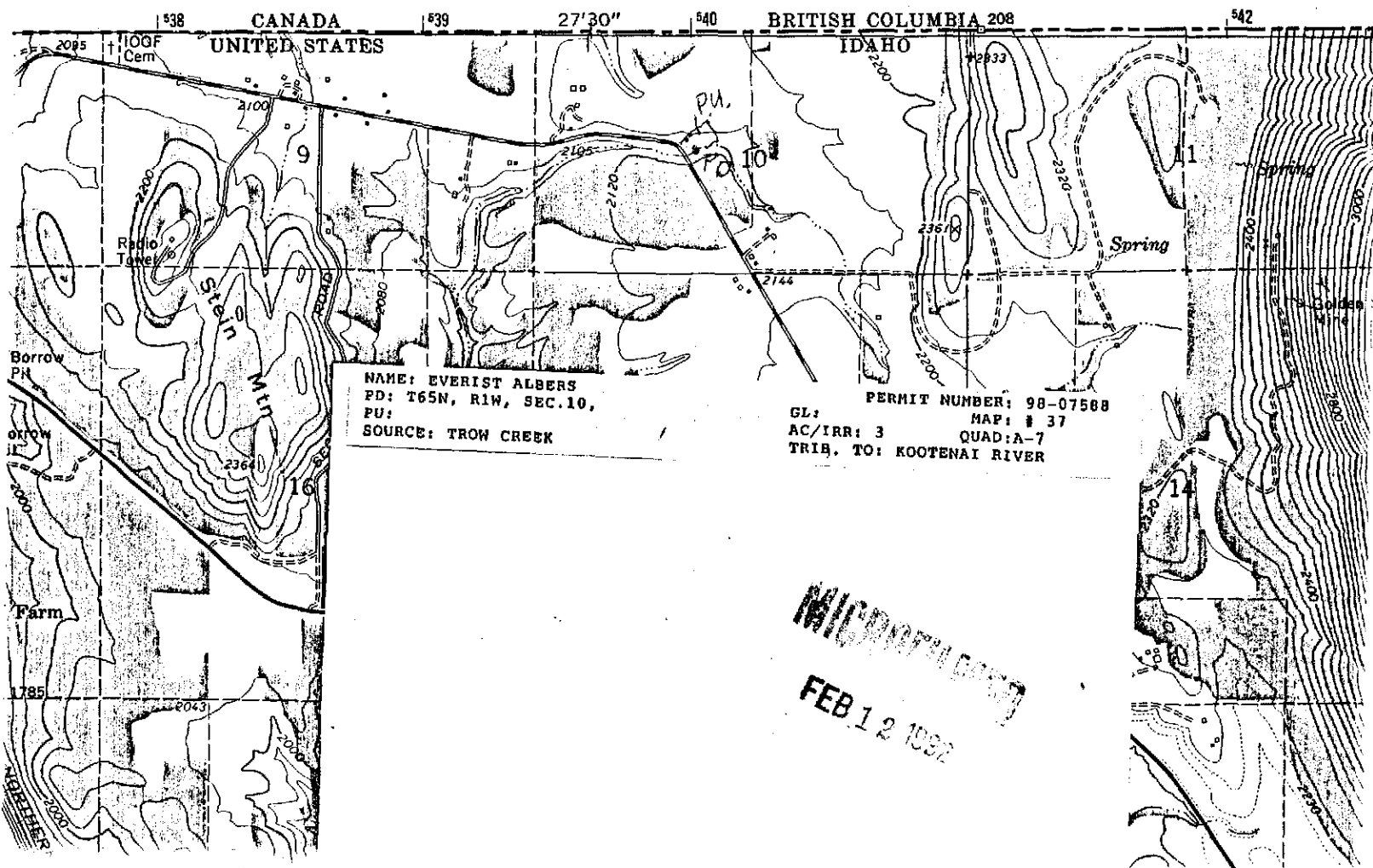
Field Examiner's Name Theresa J. Bright
 Signature Theresa J. Bright
 Certification Date 4/16/90
 Field Report Preparation Date 6/20/90

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



MICROFILMED

FEB 12 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 98-7588

Name(s) of Permit Holder(s): JOSEPHINE & EVARIST ALBERS

Post Office Address: Box 16
PORTHILL, ID 83855 Tel. No. 267-3089

☒ I hereby certify that construction of diversion works for the above referenced permit began on NOV 1983 (date). I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

11/8/84
Date

Evarist Albers
Signature of Permit Holder

PLACE
STAMP
HERE

MICROFILMED

FEB 12 1992

RECEIVED



NOV 13 1984

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

Department of Water Resources

BOISE, IDAHO 83720

RECEIVED

NOV 8 1984

Department of Water Resources
Northern District Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 4, 1988

Mr. Evarist Albers
Box 16
Porthill, Id. 83853

Re: 98-7588

Dear Permitholder:

We acknowledge receipt of your statement of completion of water development use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

TDK/pms

RECEIVED

FEB 12 1992

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 98-7588

Date: 10/5/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

_____ Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A

Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority date	_____	+
NEW PRIORITY DATE	_____	_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

SEP 19 1988

For Office Use Only
Fee Received N/A
Date _____
Receipt # _____
Receipt by _____
Reviewed by JS
Sent to region _____

RECEIVED

SEP 19 1988

STATE OF IDAHO

Department of Water Resources
Northern District Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 98-7588

Name(s) of Permit Holder: Evarist V. &/or Josephine N. Albers

Post Office Address: Box 16 Porthill, Id. 83853

Telephone No. 267-3089

Source of Water: Trow Creek

Extent of Use:

Domestic _____ (number of households) Stockwater 5 range (number and type of stock)
Irrigation 3 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: August of 1983

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ N/A
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Person to contact to accompany the Department representative during the field examination:

Applicant

(Name)

(Telephone Number)

(Address)

RECEIVED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

9/15/88

Date

Evarist V. Albers
Signature of Permit Holder (and title, if appropriate)

138439
August 31, 1988

JOSEPHINE N. ALBERS
EVARIST V. ALBERS
P.O. BOX 16
PORTHILL, ID 83853

PROOF DUE NOTICE

RE: PERMIT NO. 98-07588

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECORDED

OCT 17 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

ALBERS, JOSEPHINE N. & EVARIST V.
P.O. BOX 16
PORTHILL, ID 83853

DECEMBER 06, 1983

RE: PERMIT NO. 98-7588

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: K

APPLICATION NUMBER: 98-7588

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☐ No Platted by: _____ Map No. _____

☐ Yes ☐ No Other rights on same place of use. _____

☒ Yes ☐ No* In form for advertising.

Final date for protests: 11/7/83

☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: Sept 26, 83 / 10/8/83

☒ Application published correctly. If not, record action/taken: Readvertised / 10/20-21/83

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

☒ 7/5/83 Date of priority recommended.

Special conditions of approval or cover letter. _____

By: [Signature] Date: 11/16/83

STATE OFFICE REVIEW:

417 26

☐ See attached sheet for more information.

By: [Signature] Date: 11/21/83

POINT OF DIVERSION AND STREAM INDEX INFORMATION

UNRECORDED

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

92-2588

ALBERS, JOSEPHINE N. &/or EVARIST V.

P.O. BOX 16, PORTHILL, ID 83853

Source: TROW CREEK trib. to KOOTENAI RIVER

Date Filed: 07/05/1983

Diversion Pt. NESW Sec 10 T 65N R 01W

Use: IRRIGATION (0.06 CFS)
DOMESTIC (0.02 CFS)

In: NESW Sec 10 T 65N R 01W FOR 3 ACRES

*chgd. in
computer
10/3/83*

VICROFILMED