

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7281 Priority September 14, 1978 Amount .04 cfs

THIS IS TO CERTIFY, that LYNN W. CASSELBERRY
of Naples, Idaho, has complied with the terms and conditions of Permit
No. 98-7281 issued pursuant to Application for Permit dated September 14, 1978,
and has submitted proof to the Department of Water Resources on October 9, 1979,
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 .04 cfs of water from an unnamed stream,
tributary to Deep Creek, 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
Domestic (1 unit)	from January 1 to December 31	at .04 cfs and	1.2 acre feet
	from to	at cfs and	
	from to	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than .04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp. 60N,
Rge. 1W, B.M. in the County of Boundary

Description and location of place of use:

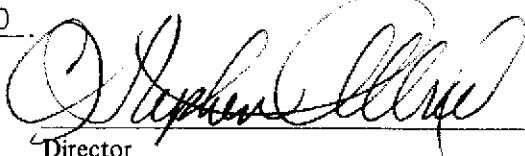
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
60N	1W	24													X				

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 26 day of
November, 19 80.


Director

Identification No. _____

Application No. 98-7281

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Lynn W. CASSELLBERRY Phone: 267 5378
post office address Shiloh Road, Naples, Idaho 83847
2. Source of water supply Unnamed stream which is a tributary of Deep Creek
3. a. Location of point of diversion is NE 1/4 of SE 1/4 of Section 24 Township 60N
Range 1W B.M. WBM, Boundary County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Deep Creek at a point in N 1/2
of SE 1/4 of Section 24 Township 60 Range 1 B.M. W

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purpose from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Catch Dam, 600' of
1 1/2" pipe to point of use; gravity flow

- b. Height of storage dam 1 1/2 feet, active reservoir capacity 50 Gal. acre feet; total reservoir
capacity 50 Gal. acre feet, materials used in storage dam: Rock, concrete
Period of year during which storage will occur 1 Jan to 31 Dec inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

- b. Estimated construction cost is \$ 5000.

8. Description of proposed uses:

- a. If water is not for irrigation:

- (1) Give the place of use of water: NW 1/4 of SE 1/4 of Section 24 Township 60N
Range 1W B.M.

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

- (3) List number of each kind of livestock to be watered: _____

- (4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.

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

RECORDED
INDEXED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below: less than 1 acre

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. None

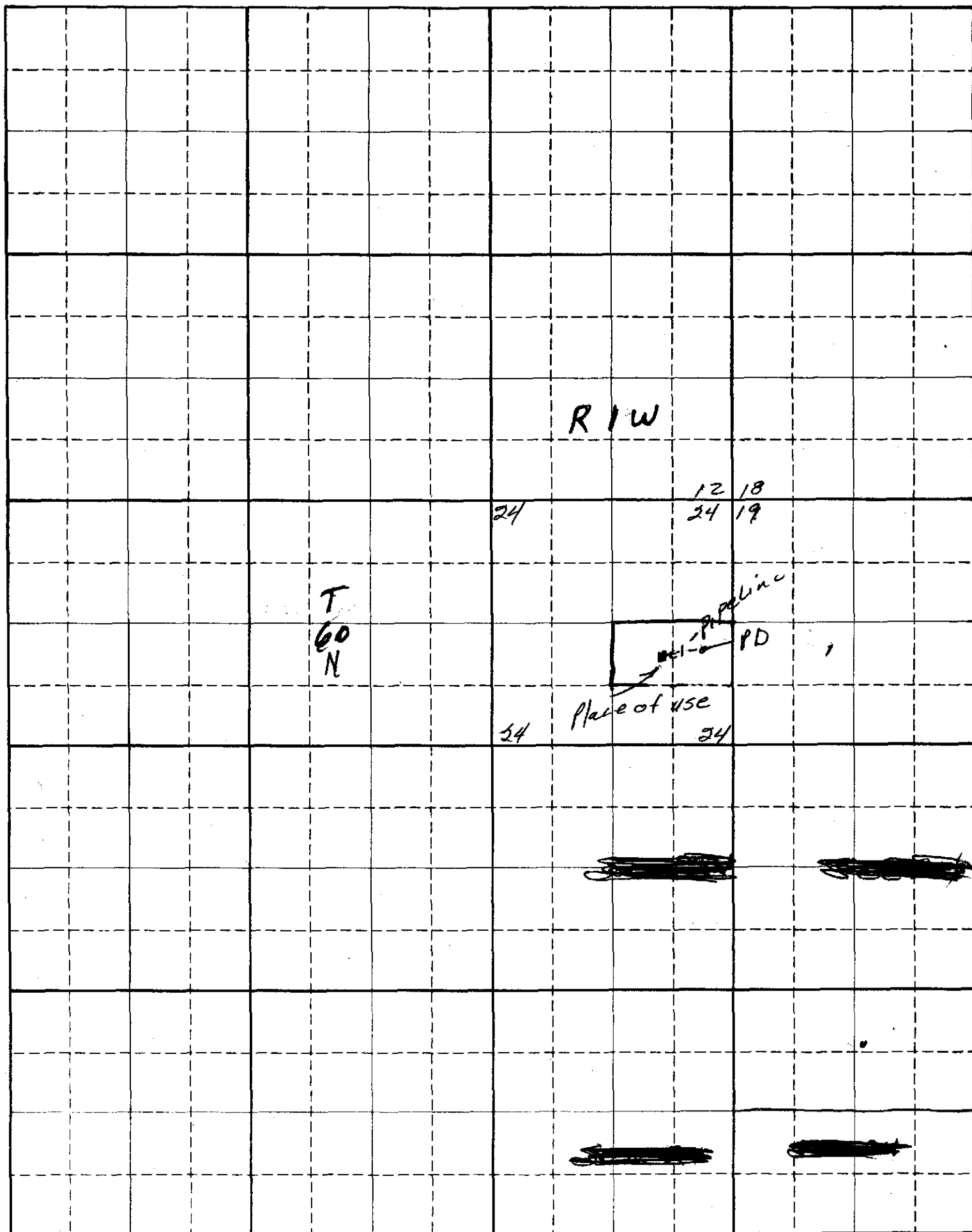
9. a. Who owns the property at the point of diversion Lynn W. Casselberry

b. Who owns the land to be irrigated or place of use Lynn W. Casselberry

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: 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.

James W. Casselberry
(Applicant)

Proposed Priority 9-14-78

Received by SK Date 9-14-78 Time Noon

Preliminary check by SK Fee \$ 2000

Received by 12 Date 9-14-78 (12099)

Publication prepared by 12 Date 9-15-78

Published in Banner-Tribune

Publication dates 9-28+10-5-78

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RJB 53

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. 98-7281, 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 January 1, 1980.

c. Other: _____

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

Witness my hand this 6 day of December 1978.

L. Glen Saylor

Chief, Operations Bureau

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

98-7281

Name: Lynn W. Casselberry
Address: Shiloh Rd., Naples, Id.
Date Filed: Sept. 14, 1978
Amount: 0.04 cubic ft/sec
Source: unnamed stream trib to Deep Cr
Means: dam & pipe
Diversion Pt: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24
T60N R1E BM Boundary Co.
Place of Use: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24
T60N R1W BM
Use: domestic from Jan 1 to Dec 31

If issued, any of the above referenced permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814, on or before October 16, 1978.

C. STEPHEN ALLRED

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Id on Sept. 28 and Oct. 5, 1978.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Echo Turnbull bkpr. 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 Idaho Dept. of WATER Resources

a Notice of Application #98-7281

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 Sep. 28, 1978, and ending with the issue dated Oct. 5, 1978.

Subscribed and sworn to before me this 23 day of October, 1978

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

RECEIVED

AFFIDAVIT OF PUBLICATION

NOV 28 1978

STATE OF IDAHO }
County of Boundary } ss.

Echo Turnbull, bkpr. for Pete Thompson

Department of Water Resources
Northern Idaho City being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 98-7281 in the name of Lynn W. Casselberry was advertised incorrectly on September 28 and October 5, 1978. The point of diversion was advertised as being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24, T60N, R1E, BM. Whereas, the actual point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24, T60N, R1W, BM.

OK

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id 83814.

C. STEPHEN ALLRED
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Nov. 2 and Nov. 9, 1978.

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 Idaho Dept. of Water Resources

a Notice of Correction #98-7281

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 Nov. 2, 1978, and ending with the issue dated Nov. 9, 1978.

Echo Turnbull

Subscribed and sworn to before me this 28th day of November, 1978.

Don Dinning

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 2, 1980

Lynn Casselberry
Shiloh Road
Naples, Idaho 83847

Dear Ms. Casselberry,

RE: License No. 98-7281

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

February 29, 1980

Ms. Lynn Casselberry
Shiloh Road
Naples, Idaho 83847

RE: 98-7281

Dear Ms. Casselberry:

We acknowledge receipt of your statement of completion of water development and 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. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 98-7281

Name(s) of Permit Holder: Lynn W. CASSELBERRY

Post Office Address: Shiloh Road
Naples, Idaho 83847

Source of Water: Unnamed Stream, tributary of Deep Creek

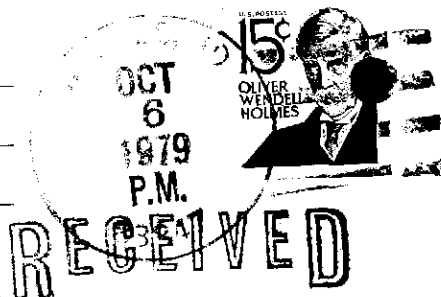
Extent of Use: ☒ Domestic (0.04) $\frac{3}{4}$ 1 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

Measuring Device:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☒ No
Access Port:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☒ No

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

Oct 1979
Date

Lynn W. Casseberry
Signature of Permit Holder



OCT 9 1979

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

October 3, 1979

L. W. Casselberry
Shiloh Road
Naples, ID 83847

Dear Mr. Casselberry:

Re: Permit No. 98-7281

Pursuant to your letter of September 12, 1979, enclosed is the "Statement of Beneficial Use" postcard you requested. Please accept my apology for failure of the department not to have supplied the first time you requested it.

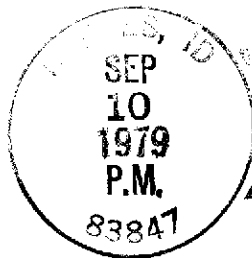
If I can be of further assistance, please contact me.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

Carrollbury
Shiloh Road
Naples, Id.
83847



Operations Bureau
Department of Water
Resources
State Office
373 W Franklin St.
Boise, Idaho
83720

5 Lilok Road
Naples, Id 83847
10 Sept '79

Gentlemen -

In the Spring of 1978, I submitted an "Application For Permit" - application No. 98-7281. On 6 Dec, 1978, your office approved the application and advised me that I must submit proof of beneficial use before 1 January, 1980 using a form available from your Department.

On 10 Dec, 1978, I requested that you send the form in order that I may complete it and return it to you.

As of this writing I have not received a copy of the form. I again request that you send the form, in order that I may complete it and return it by the date specified by your Department.

Sincerely
A. W. Casselberry
CDR, USN - Ret



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

December 7, 1978

Re: Permit No. 98-7281

Lynn W. Casselberry
Shiloh Road
Naples, Idaho 83847

Dear Ms. Casselberry:

Enclosed is a copy of your approved Application for Permit No. 98-7281. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECEIVED
DEC 10 1978
BOISE, IDAHO

98-7281

STAFF REVIEW - STATE OFFICE

- | | |
|---|---|
| 1. <u>✓</u> Name vs. Signature | 7. <u>✓</u> Place of Use for other than irrig. |
| 2. <u>S.W.</u> Source | 8. <u>N/A</u> Place of Use for irrigation (add acres) |
| 3. <u>✓</u> Point of Diversion | 9. <u>App</u> Property Owner at <u>✓</u> Pl. of Div. & Pl. of Use |
| 4. <u>✓</u> Amnt. & Period of Use | 10. <u>✓</u> Map |
| 5. <u>✓</u> Descrip. of Diverting Wrks. | 11. <u>20</u> Fee & Rec't. No. |
| 6. <u>1</u> Time req. for Proof of B/U | |

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>1</u> Idaho Fish & Game Dept.	<u>1</u> Dept. of Lands
<u>1</u> Bureau of Land Management	<u>1</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes N no

Other rights on same land N/A

N/A Withdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. <u>No</u>	Meas. Dev. or Sc. Meas. <u>No</u>
ID Power Co. Letter - G.W. & Tribs. <u>No</u>	Totalizing meter <u>No</u>
Snake River Condition <u>No</u>	Supplemental <u>No</u>
Payette River Letter <u>No</u>	Right-of-Way Cond. <u>No</u>
Priority Date <u>9-14-78</u>	Watermaster Cond. <u>No</u>
	Wtr. Dist No. <u> </u>
Water Quality #16 <u>No</u>	Meas. Dev. Cond. for apps within a Water Dist. <u>No</u>
Water Quality #10 <u>No</u>	
intrastate <u> </u> interstate <u> </u>	

Juni Reviewer
12-11-78 Date
MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Casselberry

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) SK 9/14/78
(2) _____

In form to receipt

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) SK 9/14/78
(5) _____

In form for advertising

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received (date) _____

(12) _____

Final date for protests 10-16-78 11-20-78
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

9-14-78 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 11-30-78

RECEIVED
DEC 5 1978

Department of Water Resources

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

Nov 29, 1978

Bonnors Ferry Herald

Bx 539

Bonnors Ferry, Id. 83805

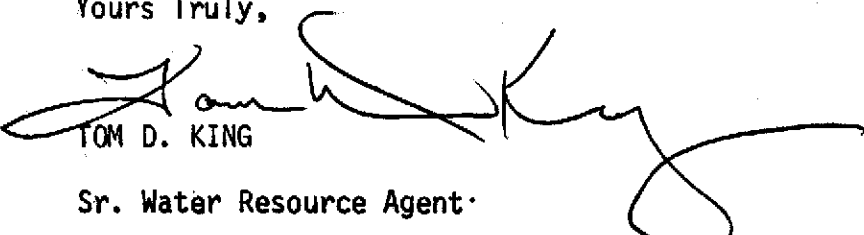
Re: Notice of Correction No. 98-7281

Dear M.

Enclosed is a copy of the original Notice of Application No. 98-7281 and Affidavit of publication. You will note that there is a discrepancy between the two. I have also enclosed a copy of the Notice of Correction which does not mention that the error was yours, however the Department should not be billed for your error.

Your assistance in this matter will be greatly appreciated.

Yours Truly,


TOM D. KING

Sr. Water Resource Agent

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 98-7281 in the name of Lynn W Casselberry was advertised incorrectly on September 28 & October 5, 1978. The point of diversion was advertised as being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24, T60N, R1E, BM. Whereas, the actual point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEc 24, T60N, R1W, BM.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id 83814.

C STEPHEN ALLRED
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on November 2 & November 9, 1978.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

September 21, 1978

RE: Application No. 98-7281

Bonnors Ferry Herald
PO Box 539
Bonnors Ferry, Id 83805

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, any of the above referenced permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814, on or before October 16, 1978.

C STEPHEN ALLRED
Director

Published in the Bonnars Ferry Herald, Bonners Ferry, Id
on September 28 and October 5, 1978.

RECEIVED

98-7281

Lynn W Casselberry

Shiloh Rd, Naples, Id

Date Filed: Sept 14, 1978

Amount: 0.04 cubic ft/sec

Source: unnamed stream trib to Deep Cr.

Means: dam & pipe

Diversion Pt: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24 T50N R1W BM Boundary Co

Place of Use: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24 T60N R1W BM

Use: domestic from Jan 1 to Dec 31

Bonnors Ferry Herald

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

September 15, 1978

RE: Application No. 08-7281

Lynn W Casselberry
Shiloh Rd
Naples, Id 83847

Dear Mr Casselberry,

Attached is your receipt No. 12099 in the amount of \$ 20.00 for the
filing fee on the above referenced item which was received in this office.

Very truly yours,

Alea Beito
Secretary

AB

Attachment

MICROFILMED