



MICROFILMED

SEP 28 1989

9 ACRE
SURFACE
10'-5'

5388

5387

2 540 000
FEET

5386

48° 37' 30"

5385000m N

5384

5382

Microfilm
SEP 28 1989

35'

5381



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 98-07154

Priority: November 27, 1975 Maximum Diversion Rate: 0.25 CFS
Maximum Diversion Volume: 42.7 AF

This is to certify, that MARIE E. ATKINS
EDWARD C. ATKINS

STAR RT.

NAPLES, ID 83847

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 24, 1975; and has submitted Proof of Beneficial Use on February 4, 1982. An examination indicates that the works have a diversion capacity of .250 cfs of water from:

UNNAMED STREAM

tributary to DEEP CREEK

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	06/15 to 09/15	0.23 CFS	42.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.7 AF
	Totals	0.25 CFS	42.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE, Sec. 20, Township 61N, Range 01E
CASSIA 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>
61N	01E	20	NESE 28	NWSE 22		50

Total number of acres irrigated: 50

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 reflect cropping patterns or acceptable standards of water delivery 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.

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State of Idaho
Department of Water Resources

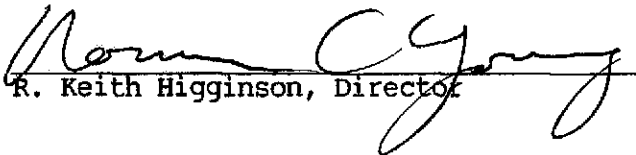
WATER RIGHT LICENSE

WATER RIGHT NO. 98-07154

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 8TH
day of AUGUST, 1989.

Acting for


R. Keith Higginson, Director

RECORDED

SEP 28 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 98-7154 IN THE
NAME OF EDWARD C. AND/OR MARIE E. ATKINS

ORDER OF REINSTATEMENT

WHEREAS, on November 24, 1975, Edward C. and Marie E. Atkins applied to the Department of Water Resources for a permit to appropriate 0.91 cubic foot per second of water from an unnamed stream to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, Twp. 61N, Rge. 1E B.M., Boundary County, to be used for irrigation and stockwatering purposes; and,

WHEREAS, on January 9, 1976, the Department approved said application and issued Permit No. 98-7154 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before February 1, 1979; and,

WHEREAS, on January 2, 1979, the Department granted an extension of time until February 1, 1982; and,

WHEREAS, on November 30, 1981, the Department notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, on February 1, 1982, the permit lapsed for failure of the permit holders to submit proof of beneficial use; and,

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

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on February 4, 1982; and,

IT IS, THEREFORE, HEREBY ORDERED that the permit be REINSTATED and the priority advanced to November 27, 1975.

Dated this 22nd day of March, 1982.

RECEIVED

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

DEC 26 1979
Department of Water Resources

Edward C. Atkins for Marie E. Atkins of Star Route Naples
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 98-7154.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before February 1, 1979.

That he has heretofore performed the following work described under said permit: built dam
put in overflow & emergency overflows, concrete collar
& head end of culverts, seal & berms dam.

Costing \$ 2,791

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: The dragline couldn't make it before the ground froze to
dig a deep spot to put the pump & clean out the trash in the water.
I finished the dam this summer and wanted it to set for
about a year before backing up water behind it

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to July 1, 1981.

Edward C. Atkins
Marie E. Atkins
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to February 1, 1982.

Signed this 2nd day of January, 1979.

A. Glen Saxton
Chief, Operations Bureau

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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 98-7154

ORDER

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

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

RECORDED

Identification No. 98-7154

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Edward C. &/or Marie E. Atkins Phone: _____
post office address Star Route, Naples, Idaho 83847
2. Source of water supply unnamed stream which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 61N
Range 1E B.M. Boundary County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.89 for Irrigation purpose from June 15 to Sept. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.91 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pond, pipeline, and sprinklers.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 3 years.
b. Estimated construction cost is \$ 20,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 61N
Range 1E 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 35 head of beef 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: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
61N	1E	20													28	22			50

Total number of acres to be irrigated 50

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 Applicant

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

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

Township 61 North, Range 1 East

20 20

POND

22 ac 28 ac

proposed irrigated Acreage

X: David Clinton Maurice L. Clinton
(Applicant)

Proposed Priority 11-24-1975

Received by CP Date 11-24-75 Time 8:00 A.M.

Preliminary check by USA Fee \$ 25.00

Receipted by CP Date 11-24-75 (Rec't. #3873)

Publication prepared by CP Date 11-28-75

Published in Bonniers Ferry Herald

Publication dates 12-4 & 12-11-75

Publication approved CP Date 12-29-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RMH

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. 98-7154, 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 February 1, 19 79.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 9 day of January, 19 76.

R. Karl Hjort
Director

RECEIVED

AFFIDAVIT OF PUBLICATION

DEC 23 1975

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Edward C. &/or Marie E. Atkins, Star Route, Naples, Idaho has on November 24, 1975 submitted Application No. 98-7154 for a permit to appropriate 0.91 cubic feet per second of water from an Unnamed Stream by means of pond, pipeline, and sprinklers within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 61N, 1E, B.M., Boundary County to be used from Jan. 1 to Dec. 31 for stockwatering purposes (0.02 cfs); and from June 15 to Sept. 15 for the irrigation of 50 acres (0.89 cfs) within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, T. 61N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before December 22, 1975.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Dec. 4 and Dec. 11, 1975.-idwr

STATE OF IDAHO

County of Boundary

} ss.

Echo Turnbull, bkpr. for W. H. Chubb being
first duly sworn upon his oath, deposes and says that he is the publisher of the Department of Water Resources

Northern District Office
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 #98-7154

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 Dec. 4, 1975, 196, and ending with the issue dated Dec. 11, 1975, 196.

Subscribed and sworn to before me this 18th day of Dec., 1975

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

August 9, 1989

MARIE E. ATKINS
EDWARD C. ATKINS
STAR RT.
NAPLES, ID 83847

RE: PERMIT NO. 98-07154

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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SEP 28 1989

April 17, 1989

MARIE E. ATKINS
EDWARD C. ATKINS
STAR RT.
NAPLES, ID 83847

RE: PERMIT NO. 98-07154

Dear Permit 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,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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SEP 26 1989

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT			LT	#SOURCE	#NAME
				1\4	1\4	1\4			
9807154	61N	01E	20	NW	SE			UNNAMED STREAM	ATKINS, EDWARD

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SEP 28 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
SEP 16 1985

98-7154
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\frac{1}{64} @ 35 PSI = 4.96 \text{ gpm} \therefore \frac{21(4.96)}{448.8} = 0.23 \text{ cfs}$$

35 stock = 0.02 cfs

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{50(3.0)}{1.9835} = 150 \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) = 1.9835(92)(.23) = 41.97 \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 41.97 \end{aligned}$$

- c) Volume Calculations for Other Uses:

35 stock 0.7 AF

2. Overlap Review

- a) Other water rights with same place of use: none
- b) Other water rights with same point of diversion: none
- c) Analysis:

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SEP 28 1989

395 28 202

4. Permit Holder: Edward C. or Marie E. Atkins

5. Source: Unnamed Stream tributary to Deep Cr.

7. Point(s) of Diversion:

8. **Place(s) of Use**

9. Recommended Conditions/Remarks: _____

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SEP 28 1989

Date 8/26/85
Date 9/12/85
Date 3/13/89

Department of Water Resources

1. Owner: EDWARD COR MARIE E. ATKINS Permit No. 98-7154
Current Address: SR NAPLES RD 93841 Phone No. _____
2. Accompanied by: E. ATKINS EXAM. DATE: 7/17/85
Address: _____ Phone No. _____
Relationship to Permit Holder: SAME
3. Source: UNNAMED STREAM tributary to DEEP CR.

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	WISE	18	3026291	Rupp	6" IN 4" OUT

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

- 5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)**

EXCAVATED IN STREAM POND 10' DEEP 0.9 SURFACE ACRES
6" SUCTION GAS ENGINE PUMP & 4" MAIN TO 21 SPHD 1/4" @ 35 PSI. AV.

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

7. Measurements *35 PSI* ☐ Additional data/computation sheets attached

Stock Fm Poal 17 3540

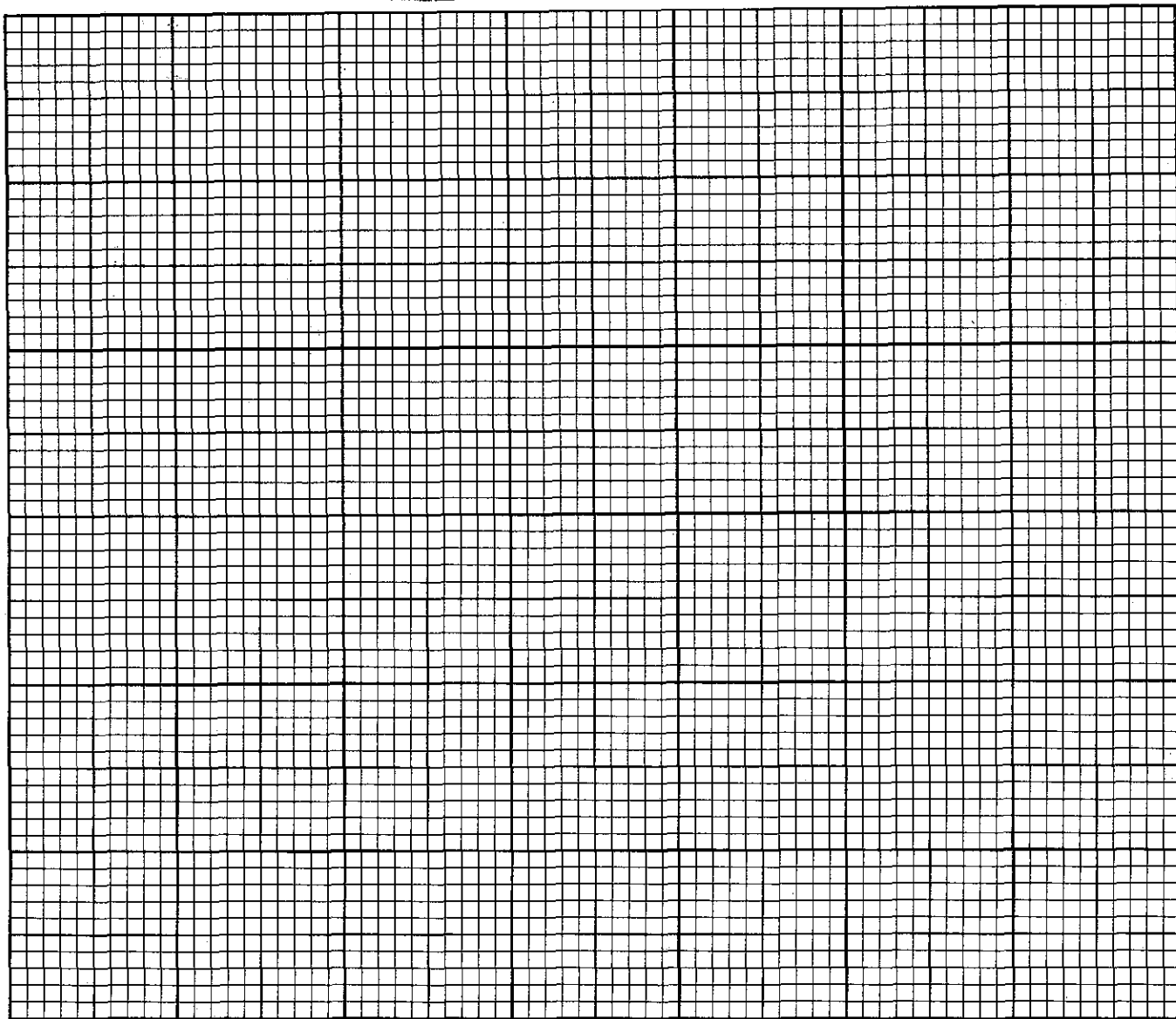
8. Point(s) of Diversion: Indicate Method of Determination *MAP*

[illegible]

- | 9. | Place(s) of Use: | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination |
|----|------------------|---|
| | | |

[illegible]

10. Other water rights on these lands none
11. Other water right diverted from same p.d. none
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. Recommended Amendments
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
- ☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

16. Examiner's/Consultant's Signature [Signature] Date 8/23/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct
Beneficial Use Examination _____

Date _____ SEP 28 1985 CONSULTANT SEAL

RECEIVED

RECEIVED
SEP 28 1985
IDWR



RECEIVED

SEP 28 1989

SEP 28 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
R. KENNETH DUNN
Director

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

March 31, 1982

Mr. Edward C. Atkins
Star Route
Naples, Id. 83847

RE: 98-7154

Dear Mr. Atkins:

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. 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.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/fms

cc: IDWR - State Office

RECEIVED
MARCH 31 1982
IDWR

Edward Atkins
Star Route Naples
Idaho 83844

PLACE
TEN CENT
STAMP
HERE

Department of Water Resources
FEB 4 1982

REGISTERED



RECEIVED
FEB 11 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 98-7154.

Name(s) of Permit Holder: Edward C & Marie E Atkins

Post Office Address: Star Route Naples
Idaho. Tel. No. 267-2981

Source of Water: Underground Springs & Runoffs

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 24 cows 5 H (number and type of stock) Bees
☒ Irrigation Need Bigger pump (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.

12-6-81
Date

Edward C Atkins
Marie E Atkins
Signature of Permit Holder

February 16, 1982

RE: Permit No. 98-7154

Edward C. & Marie E. Atkins
Star Route
Naples, ID 83847

Dear Mr. and Mrs. Atkins:

Thank you for responding to our letter of November 30, 1981 by sending a request for an extension of time in which to submit proof to beneficial use under Permit No. 9807154 and the proof to beneficial use card.

We cannot, however, accept both. Therefore, since a previous extension of time had been granted and whereas the Director of the Department of Water Resources cannot grant more than one extension of time for reasons of due diligence we will accept the proof to beneficial use card and are returning your \$15.00 Check No. 181, 92-310/1231 along with the extension request.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

RECEIVED
FEB 17 1982
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

ATKINS, EDWARD C. & MARIE E.
STAR RT.
NAPLES, ID 83847

138932

NOVEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7154 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE FEBRUARY 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

RECEIVED DEPARTMENT OF WATER RESOURCES
NOV 30 1981



STATE OF IDAHO, DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

(208) 384-2215

January 3, 1979

Edward C. &/or Marie E. Atkins
Star Route
Naples, ID 83847

Dear Mr. and Mrs. Atkins:

Re: Permit No. 98-7154

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to February 1, 1982.

Sincerely,

Jan Grover
Water Rights Supervisor

RECEIVED
JAN 10 1979



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

CERTIFIED MAIL # 100391

November 30, 1978

Re: Permit No. 98-7154

Edward C. &/or Marie E. Atkins
Star Route
Naples, ID 83847

Dear Mr. and Mrs. Atkins:

One of the conditions of approval of your water Permit No. 98-7154 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK
Water Rights

Encl: Proof affidavit

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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

10/10/78

Dear Wateruser:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have installed the measuring device, the field examination can be more expediently conducted by the Department's field examiner as well as you will derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:JG:kw

Enclosure

RECEIVED

January 12, 1976

Re: Permit No. 98-7154

Edward C. &/or Marie E. Atkins
Star Route
Naples, Idaho 83847

Dear Mr. & Mrs. Atkins:

Enclosed is a copy of your approved Application for Permit No. 98-7154 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

RNA 11-24-75

Application No. 98-7154

Edward C. & or
Marie E. Atkins

☒ 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) RNA 11-24-75

In form to receipt

(2) _____

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

(4) RNA 11-24-75

In form for advertising

(5) _____

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) CP 12/29

Affidavit of Publication received (date) DEC. 23, 1975

(12) CP 11/28

Final date for protests DECEMBER 22, 1975

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve

DEC 31 1975

Deny

Proposed Priority 11-24-75

Department of Water Resources

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of
approval

No special conditions for approval

(15) District Northern

By B. B. Jones Date 12-29-75



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COEUR D' ALENE, IDAHO 88814

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 Government Way

(208) 667-6484

November 28, 1975

Re: Application No. 98-7154 - Edward C. &/or Marie E. Atkins

Bonnors Ferry Herald
P.O. 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
District Supervisor

RGH:CP

Enc: Legal Notice(s)

Bill: 12-29-75. 4

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edward C. &/or Marie E. Atkins,
Star Route, Naples, Idaho
has on November 24, 1975 submitted Application No. 98-7154
for a permit to appropriate 0.91 cubic feet per second ~~XXXXXX~~
of water from an Unnamed Stream
by means of pond, pipeline, and sprinklers
within the NW¹SE⁴, Sec. 20, T. 61N, R. 1E, B.M., Boundary County

to be used from Jan. 1 to Dec. 31 for stockwatering purposes (0.02 cfs); and
~~xxx~~ from June 15 to Sept. 15 for the irrigation of 50 acres (0.89 cfs)

within the N²SE⁴, Sec. 20, T. 61N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before December 22, 1975.

R. KEITH HIGGINSON
Director

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho
on Dec. 4 and Dec. 11, 1975

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Edward C. &/or Marie E. Atkins, Star Route, Naples, Idaho has on November 24, 1975 submitted Application No. 98-7154 for a permit to appropriate 0.91 cubic feet per second of water from an Unnamed Stream by means of pond, pipeline, and sprinklers within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 61N, 1E, B.M., Boundary County to be used from Jan. 1 to Dec. 31 for stockwatering purposes (0.02 cfs); and from June 15 to Sept. 15 for the irrigation of 50 acres (0.89 cfs) within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20, T. 61N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before December 22, 1975.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Dec. 4 and Dec. 11, 1975.-idwr

OK.
12-5-75
d

RECORDED

4055 Government Way - Suite #1

(208) 667-6484

November 28, 1975

Re: Application for Permit No. 98-7154

Edward C. &/or Marie E. Atkins
Star Route
Naples, ID 83847

Dear Mr. and Mrs. Atkins:

Attached is your receipt No. 3873 in the amount of \$25 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

4055 Government Way - Suite #1

(208) 667-6484

November 14, 1975

Mr. Ed Atkins
Star Route
Naples, ID 83847

Dear Mr. Atkins:

We have typed your Application for Permit and we are returning it for clarification of several items.

Item 2 should list a more specific source of water (such as whether the pond is spring fed, or the name of the stream by which it is fed). Under Item 8b you have listed 50 acres to be irrigated within the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20; however, according to your map, you have listed part of the acreage in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$.

After completing the above items, please sign the Application at the bottom of Page 2 and return it to our office along with the \$25 filing fee. Thank you for your assistance in this matter.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosures

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

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

1. Name of applicant Ed Atkins & Marie Atkins
post office address Star Rt. Naples, Idaho 83847

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

3. a. Location of point of diversion is NE 1/4 of SE 1/4 of Section 20 Township 61N
Range 1E B.M. BOUNDARY County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount .89 for irrigation purpose from June 15 to Sept 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for stock purpose from January 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .91 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam 10 feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 3 years.

b. Estimated construction cost is \$ 20,000.

8. Description of proposed uses:

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

(1) Give the place of use of water: NE 1/4 of SE 1/4 of Section 20 Township 61N
Range 1E 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 35 head of
beef 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: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
61N	1E	20													50				50

Total number of acres to be irrigated 50

c. Describe any other water rights used for the same purposes as described above.

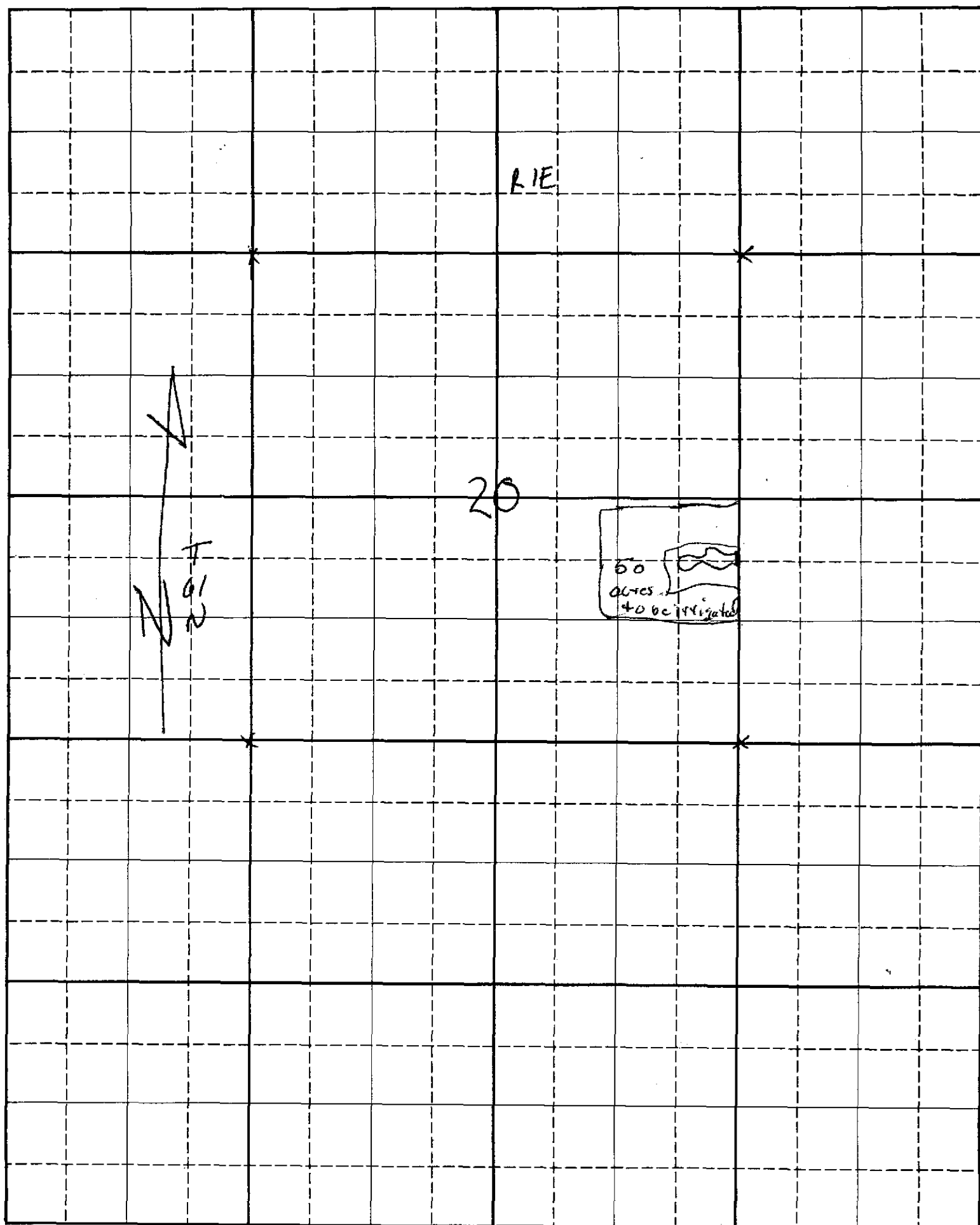
9. a. Who owns the property at the point of diversion Applicant

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

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.

XED Atkins Marcel Atkins
(Applicant)

Received by CP Date 11-13-75 Time 11:30 A.M.

Preliminary check by _____ Fee \$ _____

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

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

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

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 _____, 19____.

c. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director