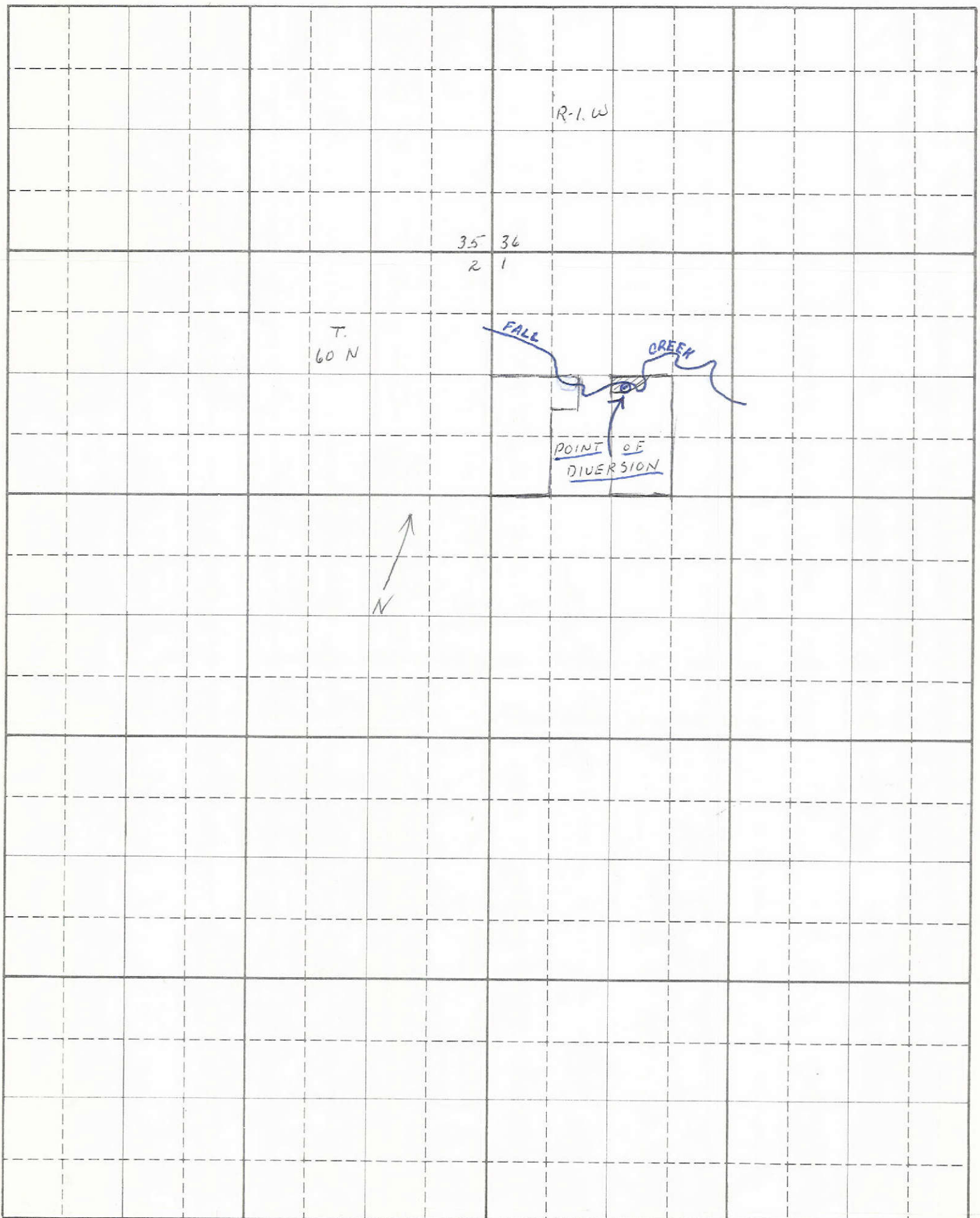


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Frank R. Applegate
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7139 Priority June 2, 1975 Amount .04 cfs

THIS IS TO CERTIFY, that FRANK R. APPLIGATE
of Naples, Idaho, has complied with the terms and conditions of Permit
No. 98-7139 issued pursuant to Application for Permit dated June 2, 1975,
and has submitted proof to the Department of Water Resources on May 12, 1980,
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 Falls Creek,
tributary to Kootenai River, 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 <u>January 1</u> to <u>December 31</u> at <u>.04</u> cfs and <u>1.2</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 .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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, 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 $\frac{1}{4}$				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	1																

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 29 day of
August, 19 80.


Director

Identification No. 98-7139

Application No. _____

APPROVED

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant FRANK R. APPLGATE Phone: 208-267-2275
post office address STAR ROUTE #1, NAPLES, IDAHO 83847
2. Source of water supply FALLS CREEK which is a tributary of KOOTENAI RIVER
3. a. Location of point of diversion is ~~*NE~~ NW $\frac{1}{4}$ of ~~*SE~~ SE $\frac{1}{4}$ of Section 1 Township 60 N
Range 1 W B.M. BOUNDRY County; additional points of diversion if any: _____
~~*NW $\frac{1}{4}$ SE $\frac{1}{4}$ SECT. 1 T60 N R1 W~~
- b. If water is not consumed, it will be discharged into FALLS CREEK at a point in NW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 1 Township 60 N Range 1 W B.M. BOUNDRY
4. Water will be used for the following purposes:
Amount .04 for DOMESTIC purpose from 1 JANUARY to 31 DECEMBER (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. .04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
PUMP & PUMP LINE

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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
c. Proposed well diameter is 36 inches; proposed depth of well is 15 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years. OR LESS
b. Estimated construction cost is \$ 1000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: NW $\frac{1}{4}$ SE $\frac{1}{4}$ Per telecon with applicant, 6-4-75. cp
(1) Give the place of use of water: ~~NE~~ $\frac{1}{4}$ of ~~SE~~ $\frac{1}{4}$ of Section 1 Township 60 N
Range 1 W 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 ONE.
(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.	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._____

9. a. Who owns the property at the point of diversion SAME Applicant (Per telecon, 6-4-75.cp)

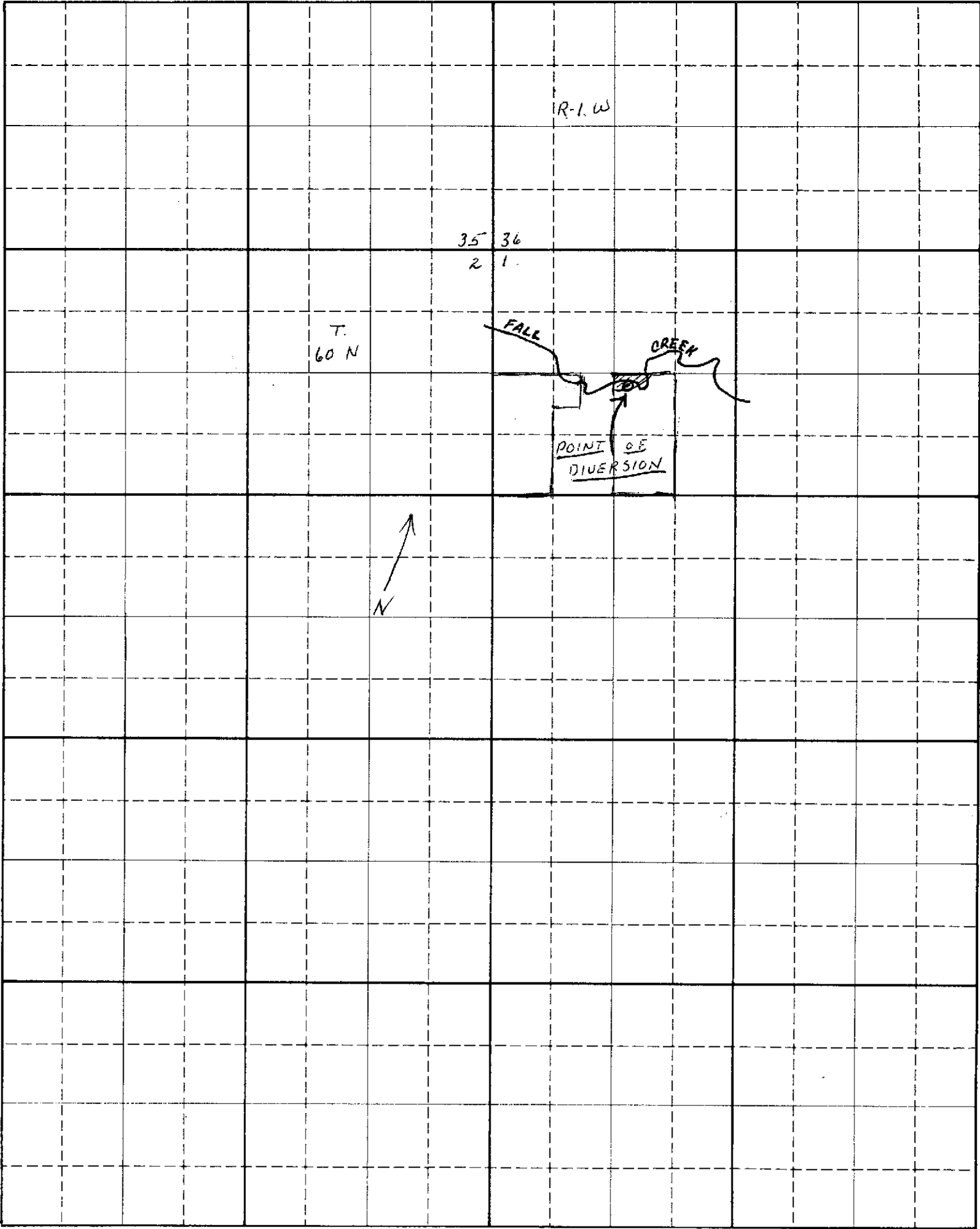
b. Who owns the land to be irrigated or place of use SAME Applicant (per telecon, 6-4-75. cp)

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 CASED SHALLOW WELL WILL BE UTILIZED FOR WATER STORAGE AND MAY INCLUDE SOME GROUND WATER

A shallow well has been dug next to Fall Creek; however, most of the water from the well presumably comes from the creek. (Per telecon with applicant, 6-4-75.cp)

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.

Frank R. Applegate
(Applicant)

Proposed Priority 6-02-1975

Received by CP Date 6-4-75 Time 10:00 A.M.
Preliminary check by CP Fee \$ 10.00
Received by CP Date 6-02-75 Permit # 1466
Publication prepared by CP Date 6-6-75
Published in Bonniers Ferry Herald
Publication dates 6-12 & 6-19-75
Publication approved CP Date 7-14-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JH

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. 98-7139, 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 July 1, 19 80.
- c. Other: _____

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

Witness my hand this 21 day of July, 19 75.

R. Keith Higinbotham
Director

AFFIDAVIT OF PUBLICATION

RECEIVED
JUL 13 1975

STATE OF IDAHO }
County of Boundary } ss.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank R. Applegate, Star Route 1, Naples, Idaho has on June 2, 1975 submitted Application No. 98-7139 for a permit to appropriate 0.04 cubic feet per second of water from Falls Creek, tributary of Kootenai River by means of pump and pipeline within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 60N, R. 1W, B.M., Boundary County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 60N, R. 1W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before June 30, 1975.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on June 12 and June 19, 1975-idwr

Echo Turnbull, bkpr. for W. H. Chubb 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 #98-7139

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 June 12, 1975, 196, and ending with the issue dated June 19, 1975, 196.

Subscribed and sworn to before me this 7th day of July, 1975

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 7, 1993

RE: Water Right No. 98-7139

Tom & Kathleen Puyleart
HCR 01 Box 349C
Naples, ID 83847

Dear Mr. and Mrs. Puyleart:

I have received your correspondence concerning your purchase of the property identified in the above referenced water right. I have placed your correspondence in the file for future reference.

Since this right has been licensed, it is considered a perfected water right. Under it, you are entitled to divert water from Falls Creek for in-house domestic use as well as irrigation of lawn.

If you have any questions concerning this matter, feel free to give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Sharla Curtis".

SHARLA CURTIS
Sr. Water Resource Agent

11/24/92

98-7139

Bob Haynes

Idaho Dept. of Water Resources

Dear Sir;

As we are the present owners of this piece of property and the well this water right pertains to, we would like if you would address all issues of concern we may need to know to us.

Sincerely

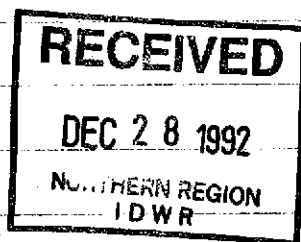
Tom Pylears

Tom and Kathleen Pylears

HCR 01 Box 349c

Naples, Idaho

83847





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

September 8, 1980

Frank R. Applegate
Star Route 1
Naples, Idaho 83847

Dear Mr. Applegate,

RE: License No. 98-7139

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

Sincerely,

A handwritten signature in cursive script that reads "Jan Grover".

JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW SE, 1, 60N, 1W

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
60N	1W	1														X			

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

Examiner's Signature [Signature]

Checked by [Signature]

Approved by [Signature]

Date 6-31-80

Date 8-5-80

Date 8/21/80

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

June 16, 1980

Mr. Frank R. Applegate
Star Route 1
Naples, Idaho 83847

RE: 98-7139

Dear Mr. Applegate:

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

MICROFILMED

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. 98-7139

Name(s) of Permit Holder: Reginald Opplegate
Frank A. Opplegate

Post Office Address: Naples, Idaho 83847
(Star Route) Tel. No. 267-1275

Source of Water: Shallow well & Falls Creek

Extent of Use: ☒ Domestic 1 (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 2 (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.

May 7, 1980
Date

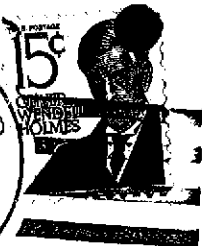
Frank A. Opplegate
Signature of Permit Holder

RECEIVED

MAY 12 1980

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



F.R. AND R.E. APDLEGATE
STAR PT, NAPLES
12940-83847

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

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

APFLEGATE, FRANK R. & FRANK R.
STAR RT. 1
NAPLES, ID 83847

138164

APRIL 30, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7139 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1980. (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

MAILED
MAY 1 1980

July 21, 1975

Re: Permit No. 98-7139

Frank R. Applegate
Star Route 1
Naples, ID 83847

Dear Mr. Applegate:

Enclosed is a copy of your approved Application for Permit No. 98-7139. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

RECEIVED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 98-7139

☒ 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) SP 6/10/75

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) SP 6/10/75

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) SP 7/14/75

Other rights on the same place of use (none)

(10) _____

Comments: _____

(11) CP 7/14

Affidavit of Publication received (date) JULY 9, 1975

(12) CP 6/6

Final date for protests JUNE 30, 1975
Protests received: yes _____ no ☒

(13) SP 7/14/75

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

(14) SP 7/14/75

Action recommended:

☒ Approve _____ Deny

6/2/75 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern By Sup. [Signature] Date 7/14/75

Department of Water Resources

RECEIVED

Route 5, Box 203
Suite #1
4055 Government Way

XXXXXXX
XXXXXXXXXXXX

July 3, 1975

Re: Application No. 98-7139 - Frank R. Applegate

Bonnors Ferry Herald
P.O. Box 539
Bonnors Ferry, ID 83805

Gentlemen:

Could you please submit the affidavit of publication and bill in connection with the above referenced item. The legal notice was to have been published in your newspaper on June 12 and June 19, 1975.

Your assistance in this matter is appreciated.

Very truly yours,

Corda M. Patterson
Secretary
Northern District

CP

RECEIVED
JUL 10 1975



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 6, 1975

Re: Application No. 98-7139 - Frank R. Applegate

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill: 7-14-75

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank R. Applegate,

Star Route 1, Naples, Idaho

has on June 2, 1975 submitted Application No. 98-7139

for a permit to appropriate 0.04 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from Falls Creek, tributary of Kootenai River

by means of pump and pipeline

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 60N, R. 1W, B.M., Boundary County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1, T. 60N, R. 1W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before June 30, 1975.

R. KEITH HIGGINSON

Director

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho

on June 12 and June 19, 1975

RECEIVED
JUN 24 1975

June 6, 1975

Re: Application for Permit No. 98-7139

Mr. Frank R. Applegate
Star Route 1
Naples, ID 83847

Dear Mr. Applegate:

Attached is your receipt No. 1466 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary
Northern District

CP

Attachment

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