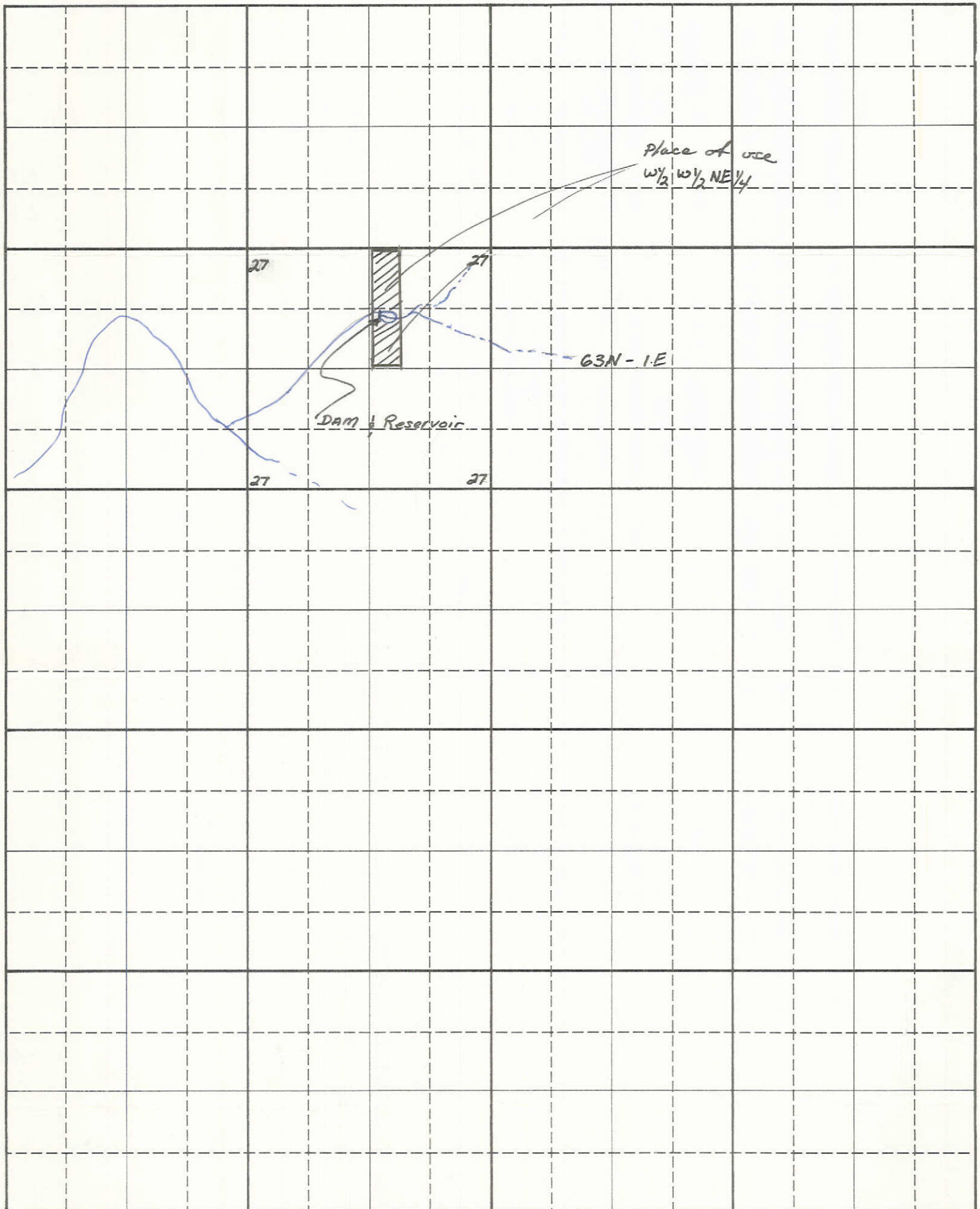


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)
Patricia G. Deep

T-4
BURDICK

BRANSON

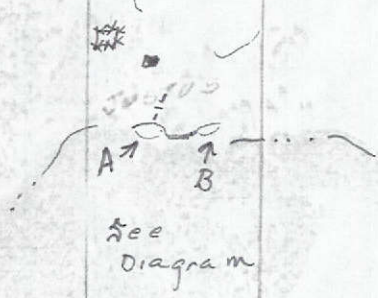
T-1

HAGG

T-2
MOSSMAN

22 23
27 26

Dry Land
Gops



HEIDENHAY

ANDERSON

14
STUDER

MCGRAN

HAGG

TRUEVE

27 26
34 35

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)

License of Water Right No. 98-7126 Priority November 16, 1974 Amount 0.02 cfs

THIS IS TO CERTIFY, that Richard &/or Patricia Delfs
of Bonnors Ferry, Idaho, has complied with the terms and conditions of Permit
No. 98-7126 issued pursuant to Application for Permit dated November 11, 1974,
and has submitted proof to the Department of Water Resources on December 6, 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 0.02 cfs of water from unnamed stream,
tributary to Fleming 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
Stockwater	from January 1 to December 31	at 0.02 cfs and	0.7 acre feet
	from to	cfs and	
	from to	cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 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
0.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27, Twp.
63N, Rge. 1E 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 $\frac{1}{4}$	
63N	1E	27			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 30TH day of
November _____, 19 82.

Acting for the Director

Norman C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 98-7126
IN THE NAME OF RICHARD &/or PATRICIA DELFS

ORDER OF REINSTATEMENT

WHEREAS, on November 11, 1974, Richard and Patricia Delfs filed with the Department of Water Resources an application for permit to appropriate 0.20 cubic feet per second of water and 17 acre feet per annum of water from an unnamed stream to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, Twp. 63N, Rge. 1E, B.M., Boundary County to be used for storage, irrigation, and stockwater; and,

WHEREAS, on December 24, 1974, the Department approved said application and issued Permit No. 98-7126 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1979; and,

WHEREAS, on September 30, 1979, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

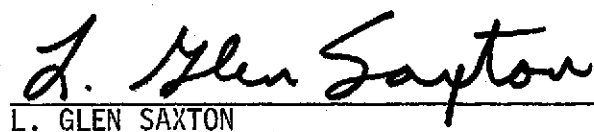
WHEREAS, on December 6, 1979, the Department notified the permit holders that Permit No. 98-7126 had lapsed for failure to submit proof of beneficial use of water; and,

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 the notice 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 December 6, 1979;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 98-7126 be REINSTATED and the priority advanced to November 16, 1974.

Dated this th18 day of December, 1979.


L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

Identification No. 98-7126

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)

APPROVED

1. Name of applicant Richard &/or Patricia Delfs
post office address Star Route 1, Box 34-B, Bonners Ferry, Idaho 83805
2. Source of water supply Unnamed Stream which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 63N
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 17 AF for Storage purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(acre-feet per annum)
Amount 0.20 for Irrigation purpose from April 1 to Oct. 1 (both dates inclusive)
(cfs ~~acre-feet per annum~~)
Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)
5. Total quantity to be appropriated:
a. 0.20 cubic feet per second and/or
b. 17 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 20-foot dam will create reservoir
approximately 500 feet long and 100 feet wide, 15 feet deep. 17 AF

- b. Height of storage dam 20 feet, active reservoir capacity 17 acre feet; total reservoir
capacity 17 acre feet, materials used in storage dam: earth
Period of year during which storage will occur Jan. 1 to Dec. 31 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 5 years.
b. Estimated construction cost is \$ 3,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$
(1) Give the place of use of water: ~~SW~~ $\frac{1}{4}$ of Section 27 Township 63N
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 _____

(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

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	
63N	1E	27		20	20														40

Total number of acres to be irrigated 40

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

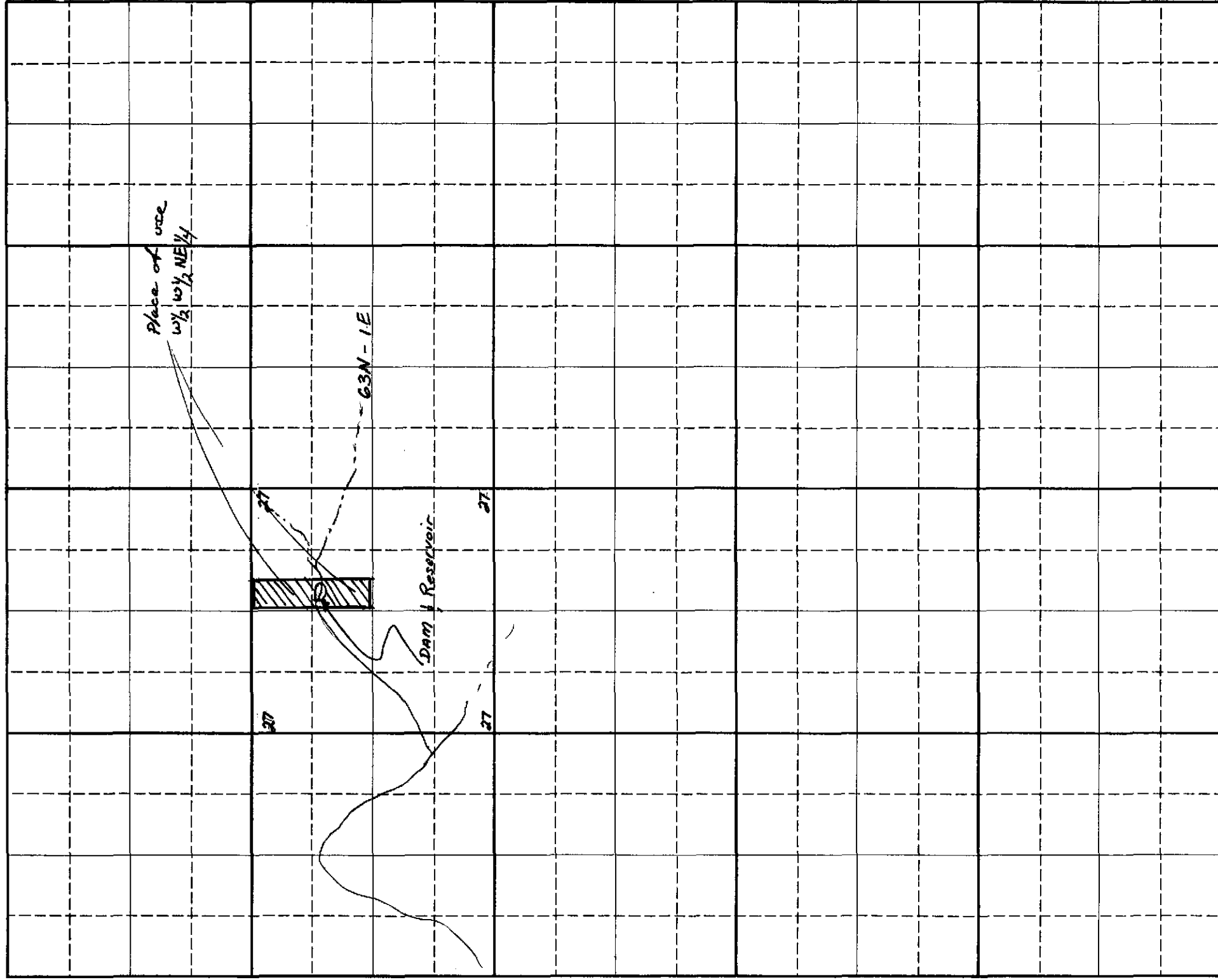
9. a. Who owns the property at the point of diversion Applicant

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

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.

William G. Rapp
(Applicant)

Proposed ~~Priority~~ 11-11-1974

Received by CP Date 11-11-74 Time 1:00 p.m.

Preliminary check by FE Fee \$ 10.00

Receipted by FE Date 11-11-74 # 15136

Publication prepared by CP Date 11-15-74

Published in Bonnors Ferry Herald

Publication dates 11-21 & 11-28-74

Publication approved CP Date 12-9-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by W DE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

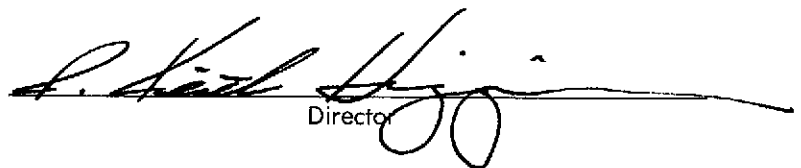
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7126, and said application is hereby APPROVED.

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 December 1, 19 79.
- c. Other: _____

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

Witness my hand this 24 day of December 19 74.


Director

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard &/or Patricia Delfs, Star Route 1, Box 34-B, Bonners Ferry, Idaho have on Nov. 11, 1974 submitted Application No. 98-7126 for a permit to appropriate 0.20 cubic feet per second &/or 17 acre feet per annum of water from an Un-named Stream by means of reservoir within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 63N, R. 1E, B. M., Boundary County to be used from Jan. 1 to Dec. 31 for stockwatering purposes (0.02 cfs) and storage (17 A.F.); and from April 1 to Oct. 1 for the irrigation of 40 acres (0.20 cfs) within the W $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 63N, 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, 401 Front Ave., Coeur d'Alene, Idaho 83814 on or before Dec. 9, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Nov. 21 and Nov. 28, 1974.-ldwr

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 (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 498-7126

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. 21, 1974, 196, and ending with the issue dated Nov. 28, 1974, 196.

MICROFILMED

Subscribed and sworn before me this 6th day of Dec, 1974

Echo Turnbull, bkpr.
Jay Rotsch
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

December 10, 1982

RE: Permit No. 98-7126

Richard &/or Patricia Delfs
Star Route #1, Box 34-B
Bonners Ferry, ID 83805

Dear Mr. and Mrs. Delfs:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

ENCLOSURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 16, 1982

RE: Permit No. 98-7126

Richard &/or Patricia Delfs
Star Route #1, Box 34-B
Bonners Ferry, ID 83805

Dear Mr. and Mrs. Delfs:

A representative of this Department has made an examination of the works covered by your Permit No. 98-7126, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.02 cfs Source: unnamed stream

The maximum quantity diverted shall not exceed 0.7 acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, Twp. 63N, Rge. 1E, Boundary County

Beneficial use: Stockwater use within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, Twp. 63N,
Rge. 1E

Priority date established: November 16, 1974 (late proof)

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

DEPARTMENT OF WATER RESOURCES

FIELD REPORT

Boundary

98-7126

Permit No. _____

2-11

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

☐ Appointment letter mailed:

1-28-80

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 8-11-81

Accompanied by *[Signature]*

Total Q measured

If source is surface water, estimate total flow of source

Methods of measurement

ES +

Meets Permit requirements?

Чел

Measurement calculations:

one home - Domestic is not identified
stock ON Permit

Tribe is Fleming Creek as per USGS

[illegible]

System Description *Pipe in stream to pond (asphalt is also in-stream) for stock. 18" vertical culvert in stream bed with pump & pipeline*

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation requirement =

AFA/Acre

Q (cfs)

Y (afa)

FROM

TO

~~Domestic~~
Stock

002V

0.7 ✓

1-1

12-31

Total

Remarks No use 7/22/80 RST Dam does not exist. Neighbors indicate
usage of water is considerably less than probably only a garden RST 8/5/80

8/11/81. No stock at time of exam, but facilitating

27/3/1911
No IRRIGATION.

Jan 11-4-82

[illegible]

Stock Pen
Riser

House

Pond 2' deep
X 12' Dia

deep buried in dry soil

Broken
Water
Line

Spring box with

Vertical 18" Cmp —
(Pump Removed)

A

overflow  2' x 10' wide dam

Point(s) of diversion: SWNE, 27, 63N, 1E (12)

Place(s) of Use

[illegible]

☐ Change P.P. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☒ None

Examiner's Signature

Date 8-7-81

Checked by _____

Date: 7-24-80 8/18/81

Approved by:

Date _____

10	25	82
----	----	----

BRANSON

Dry Land
Grass

A
B

See
Diagram

22 23
27 28

MILBARK

14
STUDER

STUVE

27 28
29 30

MICROFILMED

August 5, 1980

Mr. Charles Justus
Star Route 1
Bonners Ferry, Idaho 83805

Re: 98-7337 - William H &/or Musette M. Heideman

Dear Mr. Justus:

We have received your letter withdrawing your protest upon the condition that Mr. Heideman deletes the irrigation portion on the Application for Permit.

We are also enclosing a copy of Mr. Delfs's permit. Mr. Delfs has filed the Proof of Beneficial Use or Statement of Water Use. A field check of the area this year indicated that no water was being used on the property from the stream.

A license will be issued for the water use when water is being used so that we may make a field inspection.

Please note that the dam portion of the permit has not been completed and that the license could not be issued for the dam under this permit.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - Permit No. 98-7126

cc: File 98-7126

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

January 28, 1980

Mr. and Mrs. Richard Delfs
Star Rt. 1 Box 34-B
Bonners Ferry, Idaho 83805

RE: 38-7126

Dear Mr. and Mrs. Delfs:

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

TOM D. KING
Senior Water Resource Agent

TOK/pms

cc: IDWR - State Office

RECEIVED

FEB 14 1980

Department of Water Resources
Northern District Office

NOTED
Please setup an appointment for field exam. We are not always at home. There are also No Trespassing signs up on property. So it would be necessary for us to know when the examiner would be coming, so we can be here.

Thank you
Richard Delfs

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

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

January 28, 1980

Mr. and Mrs. Richard Delfs
Star Rt. 1 Box 34-B
Bonners Ferry, Idaho 83805

RE: 98-7126

Dear Mr. and Mrs. Delfs:

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

Who 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. 98-7126

Name(s) of Permit Holder: RICHARD & PATRICIA DELFS

Post Office Address: ST. R. P. 1 Box 34 B

BONNERS FERRY, IDAHO Tel. No. _____

Source of Water: UNNAMED CREEK

Extent of Use:

☒ Domestic	_____	(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.

5-80
Date

Patricia Delfs
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Rpta

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

DELFS, RICHARD & PATRICIA
STAR RT. 1 BOX 34 B
BONNERS FERRY, ID 83805

DECEMBER 05, 1979

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 98-7126 HAS LAPSED SINCE YOU HAVE NOT NOTIFIED US THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT. YOU WERE PROVIDED FORMS FOR THAT PURPOSE IN OUR NOTICE TO YOU DATED SEPTEMBER 30, 1979.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE PROOF OF BENEFICIAL USE AFFIDAVIT, ENCLOSED, OR SHOW OTHER REASONABLE CAUSE WHY THE PERMIT SHOULD BY REINSTATED WITHIN 60 DAYS FROM THE DATE OF THIS LAPSE NOTICE.

C. Stephen Allred

C. STEPHEN ALLRED
DIRECTOR

ENCLOSURE

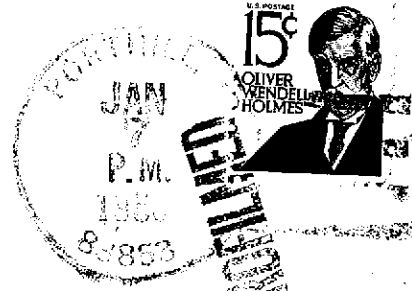
First card was mailed on Dec. 4, letter stated card had to be sent by Dec. 6. I presume you received card after mailing this letter.

MICROFILMED

St. Ch. 1 Box 592
Bonners Ferry
Idaho 83805

Dept. of Water Resources
Statehouse
Boise, Idaho

83720



RECEIVED

JAN 9 1980

Department of Water Resources

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. 98-126

Name(s) of Permit Holder: RICHARD & PATRICIA DELFS

Post Office Address: ST. R. L. Box 34B

BONNERS FERRY, IDAHO 83805 Tel. No. _____

Source of Water: UNNAMED CREEK

Extent of Use:

☒ Domestic	_____	(number of households)
☒ Stockwater	_____	(number and type of stock)
☒ Irrigation	<u>40</u>	(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.

12/3/79
Date

Patricia G. Delfs
Signature of Permit Holder

RECEIVED

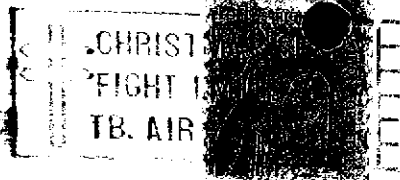
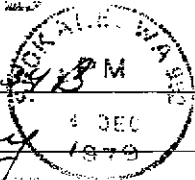
DEC 6 1979

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

St. Ct. 1 Box
Bonners Ferry
Idaho 83805



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

DELFS, RICHARD & PATRICIA
STAR RT. 1 BOX 34 B
BONNERS FERRY, ID 83805

DECEMBER 05, 1979

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 98-7126 HAS LAPSED SINCE YOU HAVE NOT NOTIFIED US THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT. YOU WERE PROVIDED FORMS FOR THAT PURPOSE IN OUR NOTICE TO YOU DATED SEPTEMBER 30, 1979.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE PROOF OF BENEFICIAL USE AFFIDAVIT, ENCLOSED, OR SHOW OTHER REASONABLE CAUSE WHY THE PERMIT SHOULD BY REINSTATED WITHIN 60 DAYS FROM THE DATE OF THIS LAPSE NOTICE.

C. STEPHEN ALLRED
DIRECTOR

ENCLOSURE

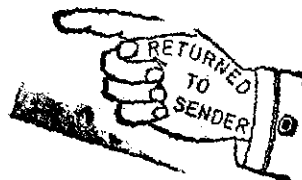
CERTIFICATION OF MAILING
I hereby certify that on 12/16/79
a copy of original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
Rita L. Lusk

MICROFILMED

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOTSE, IDAHO 83720

RECEIVED

OCT 17 1979



Department of Water Resources

CERTIFIED MAIL

101415

NO.

CLAIM CHECK NO.

838859

☐ HOLD

DATE

OCT 1 1979

1ST NOTICE

OCT 10 1979

2ND NOTICE

OCT 15 1979

RETURN

Detached from
PS Form 3849-A
Feb. 1978

UNCLAIMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 384-2215

DELFS, RICHARD & PATRICIA
STAR RT. 1 BOX 34 B
BONNERS FERRY, ID 83805

102445

SEPTEMBER 30, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7126 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1979. (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

December 27, 1974

Re: Permit No. 98-7126

Richard &/or Patricia Delfs
Star Route 1 - Box 34 B
Bonners Ferry, Idaho 83805

Dear Mr. & Mrs. Delfs:

Enclosed is a copy of your approved Application for Permit No. 98-7126. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 98-7126

☒ 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) FE 11/14/74 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) FE 11/14/74 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 12/9 Affidavit of Publication received(date) DEC. 9, 1974
- (12) CP 11/15 Final date for protests DECEMBER 9, 1974
Protests received: yes _____ no ☒
- (13) FE 12/7/74 All requested information received from agencies or applicant: yes ☒ no _____
- (14) FE 12/9/74 Action recommended:
☒ Approve _____ Deny _____
11/11/74 Proposed Priority
_____ Reason for Reduction _____
? _____ Measuring device required
_____ See attached sheet for other conditions of approval
☒ No special conditions for approval
- (15) District 9/other By Tom Conant Date 12/9/74

MICROFILMED

December 3, 1974

Re: Application for Permit No. 98-7126 - Richard &/or Patricia Delfs

Mr. William H. Heideman
Box 525
Bonners Ferry, ID 83805

Dear Mr. Heideman:

Enclosed is a copy of the map submitted with the above referenced application for Mr. and Mrs. Delfs. As you can see, the place of use is listed as the W^{1/2}NE^{1/4}, Section 27, Township 63 North, Range 1 East. Mr. Delfs has also listed the property at the point of diversion and the place of use as being owned by himself.

We hope this will answer your questions and satisfy the objections you stated in your letter. Please contact us if we may be of any further assistance.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

MICROFILMED

Page one

Nov. 27, 1974

RECEIVED

Bonnera Ferry Idaho
Box 525 83805

DEC 2 1974

Department of Water Resources
Northern District Office

Idaho Department of Water Resources
401 Front Ave. Coeur d'Alene Idaho

Dear Sirs:

83814

In regards to the application for
water Permit no. 98-7126 to

Richard & Patricia Delfs
Star Route 1, Box 34-B Bonnera Ferry
Idaho 83805.

I want to make this Protest
Against this application because
He does not own all of the West
half of the North East $\frac{1}{4}$ of Sec. 27
T. 63 N, R. 1 E, B.M. He only owns

the $W\frac{1}{2}$ of the $W\frac{1}{2}$ of the **MICROFILMED** 27
T 63 N R. 1 E B.M. 40 acres more or less

I object to a water Permit to any
one applying for water on my land.

Page Two.

The Permit says Irrigation of 40 acres
within the $W\frac{1}{2}$ $NE\frac{1}{4}$ Sec. 27 T. 63 N, R.
1 E; B.M. It is all right ^{for him} to improve and
irrigate the $W\frac{1}{2}$ of the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of Sec
27. T 63 N R. 1 E B.M. as he pleases.

I don't think there is that much water
running down any creek around there.

Yours Truly.

Signed:

William H. Heideman

STATE OF ARIZONA
COUNTY OF MARICOPA

11/27/74

James K. Witte
Notary
My Commission Expires May 3, 1975

William H. Heideman
Box 525 Bonners Ferry
Idaho 83805

FRANCIS
PARKMAN
AMERICAN
HISTORIAN
U.S. POSTAGE



AIR MAIL

Air Mail

95
13
108

Idaho Department of Water Resources

401 Front ave.

REGISTERED
NO. 679

Coeur d'Alene Idaho, 83814

REGISTERED



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

November 15, 1974

Re: Application No. 98-7126 - Richard &/or Patricia Delfs
Claim No. 98-4056 - Harry J. Beheman

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 Submitted 12-9-74 by cp

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard &/or Patricia Delfs,

Star Route 1, Box 34-B, Bonners Ferry, Idaho

~~has~~ ^{have} on Nov. 11, 1974 submitted Application No. 98-7126
for a permit to appropriate 0.20 cubic feet per second ^{&/or 17} ~~acre~~ feet per annum
of water from an Unnamed Stream
by means of reservoir
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 63N, R. 1E, B.M., Boundary County

to be used from Jan. 1 to Dec. 31 for stockwatering purposes (0.02 cfs) and
~~for~~ ^{xxx} storage (17 A.F.); and from April 1 to Oct. 1 for the irrigation of 40
acres (0.20 cfs)
within the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 27, T. 63N, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Dec. 9, 1974.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho

on Nov. 21 and Nov. 28, 1974

MICROFILMED

November 15, 1974

Re: Application for Permit No. 98-7126

Mr. Richard Delfs
Star Route 1, Box 34-B
Bonners Ferry, ID 85805

Dear Mr. Delfs:

Attached is your receipt No. 15136 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Attachment

MICROFILMED

September 4, 1974

Mr. Richard Delfs
Star Route 1, Box 34-B
Bonners Ferry, ID 83805

Dear Mr. Delfs:

We have typed an Application for Permit using the information from yours. Please review all items on this application, making any changes or additions necessary. If the information indicates your proposed system, please sign at the bottom of Page 3 and return the form to our office along with the \$10 filing fee, and we shall begin its processing.

We have also enclosed our Department's Dam Application for new construction of dams. Please complete this form and return it with your water rights application.

If you should have any questions in this matter, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosures

MICROFILMED

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 RICHARD DELFS +/PATRICIA DELFS
post office address ST. RT. 1 Box 34 B¹⁰ BONNERS FERRY
2. Source of water supply CREEK - UNNAMED which is a tributary of ~~SPRINGS~~
3. a. Location of point of diversion is W¹/₂ W¹/₂ 1/4 of NE 1/4 of Section 27 Township 63 NORTH
Range 1 E.B.M. BOUNDARY County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Creek at a point in W¹/₂ W¹/₂ 1/4
of NE 1/4 of Section 27 Township 63 NORTH Range 1 EAST B.M.
4. Water will be used for the following purposes:
- | | |
|--|---|
| Amount <u>166</u> for <u>LAKE</u>
<small>(cfs or acre-feet per annum)</small> | purpose from <u>when LAKE</u>
<u>15</u> <u>BUILT</u> to <u>INDEFINITE</u> (both dates inclusive) |
| Amount <u>172</u> for <u>Storage</u>
<small>(cfs or acre-feet per annum)</small> | purpose from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| Amount <u>172</u> for <u>irrigation</u>
<small>(cfs or acre-feet per annum)</small> | purpose from <u>4/1</u> to <u>10/1</u> (both dates inclusive) |
5. Total quantity to be appropriated: 166 or 600 gal. hr.
- a. 166 or 600 gal. cubic feet per second and/or
- b. _____ acre feet per annum.
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 20' DIKE - 20" TICKLE PIPE
Concrete Spillway, Water Pump for irrigation,
AND CATTLE.
- b. Height of storage dam 20 feet, active reservoir capacity APPROX. - acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: Dirt
Period of year during which storage will occur when DIKE IS BUILT 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 15 years.
- b. Estimated construction cost is \$ 3,000.00.
8. Description of proposed uses:
- a. If water is **not** for irrigation:
- (1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ 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 _____.
- (5) If water is to be used for other purposes describe: _____

MICROFILMED

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	
63N	1E	27	40																40 ACRES

Total number of acres to be irrigated 40

c. Describe any other water rights used for the same purposes as described above. NO

9. a. Who owns the property at the point of diversion RICHARD & PATRICIA DELFS

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

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

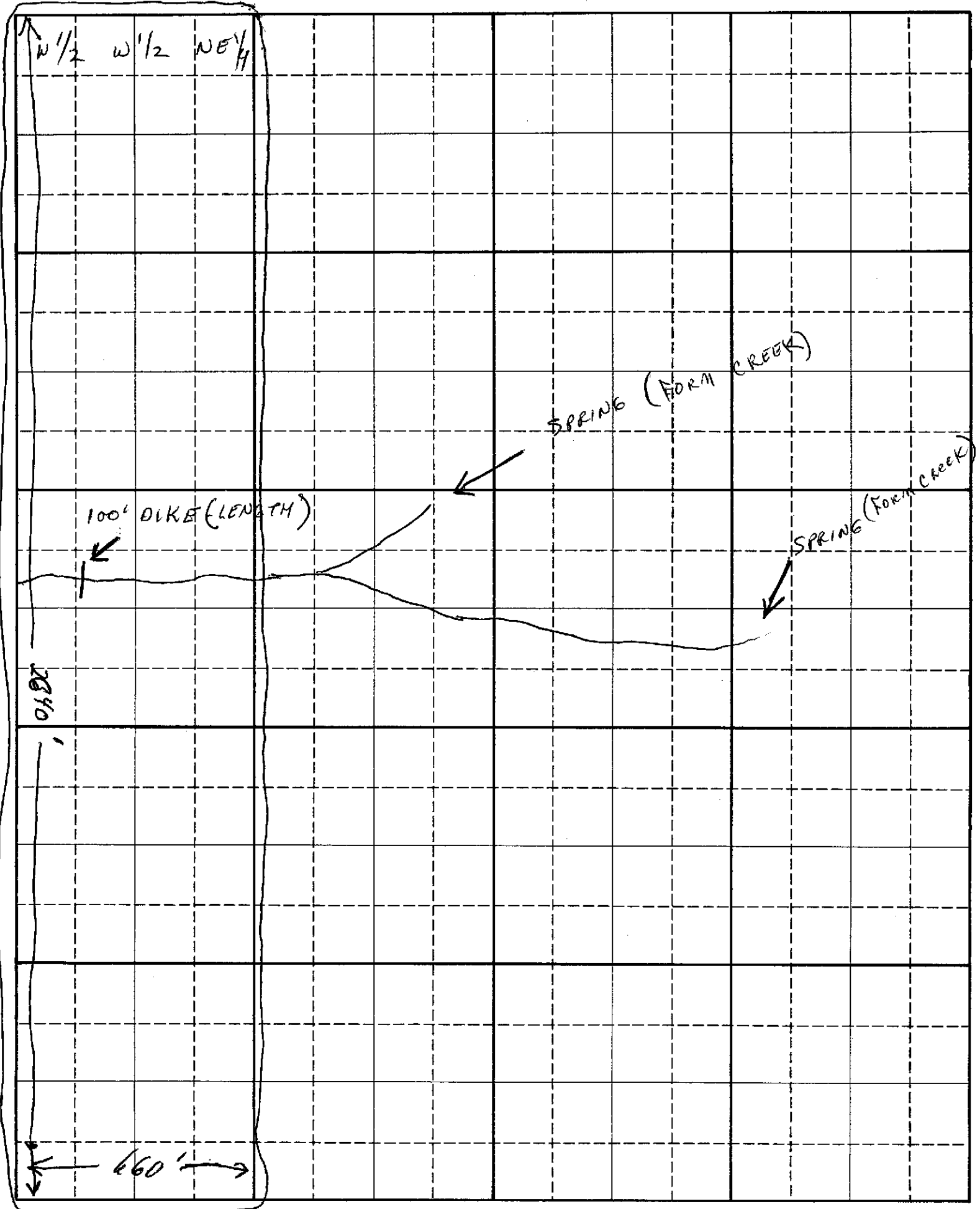
10. Remarks SOIL CONSERVATION SAYS OUR PROPOSED DIKE IS TOO LARGE FOR THEIR DEPARTMENT. REQUEST INFORMATION AS TO DEPARTMENT TO CONTACT FOR ASSISTANCE IN BUILDING DIKE. DIKE WOULD BE 20' HIGH AND WILL ACT AS DIKE AND ROAD TO BACK ACREAGE. (BECAUSE OF STEEP CANYON) HAVING ONLY 40 ACRES TOTAL - MADE CHART EQUAL 160 ACRES.

FLOW UNTO PROPERTY 600 gal. hr. - FLOW STOPS 1 to 2 MONTHS yearly - DRIES AT POINT 100' INSIDE OUR PROPERTY LINE. NEIGHBORS BELOW GET NO FLOW AT THIS TIME. WITH OUR DIKE BUILT, NEIGHBORS WOULD HAVE OUR OVERFLOW DURING DRY TIME. THIS NEIGHBOR HAS A DIKE, THERE ARE NO HOUSES THOUGH, NO USE OF WATER BELOW US EXCEPT NEIGHBORS DIKE, AT THIS TIME. THIS CREEK RUNS IN A STEEP CANYON.

CHART = 160 ACRES - HEIDEMAN FARM -
CIRCLED SECTION = 40 ACRES - DELES - SECTION 27 TWP 63N, East BM
W¹/₂ W¹/₂ - NE¹/₄ (40 ACRES OUT OF HEIDEMAN'S 160 ACRES)
APPROX. LENGTH OF LAKE - 500'

FLOW IN CREEK 600 gal. an hour

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.

Patricia L. Halp
(Applicant)

Received by CP Date 8-27-74 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