

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7123 Priority October 15, 1974 Amount 0.02 cfs

THIS IS TO CERTIFY, that MELVIN PETERSON

of Moyie Springs, Idaho, has complied with the terms and conditions of Permit No. 98-7123 issued pursuant to Application for Permit dated October 15, 1974, and has submitted proof to the Department of Water Resources on April 18, 1978, 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 an unnamed stream, tributary to _____, 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
<u>Irrigation</u> from <u>April 1</u> to <u>October 1</u> at <u>0.02</u> cfs and <u>7.3</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 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 7.3 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 62N, Rge. 2E, B.M., in the County of Boundary

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
62N	2E	3			5														5

Total number of acres irrigated 5

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 20 day of

April, 19 79.

Deputy Director

all typing done
by County Assessor
Boundary County, Id.

Identification No. 98-7123

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION **APPROVED**
APPLICATION FOR PERMIT

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

1. Name of applicant Melvin Peterson
post office address RT 1 Moyie Springs, Idaho
2. Source of water supply Creek which is a tributary of None
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 62 N
Range 2 E B.M. Boundary County; additional points of diversion if any: _____
This is an unnamed stream running across section 3, to its intersection
with my property.
- b. If water is not consumed, it will be discharged into Creek bed at a point in Same $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 10 irrigation purpose from April 1 to Oct 1 (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. 10 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
This stream runs across the U.S. ownership which is N $\frac{1}{2}$ section 3,
and is not of any big amount, it at this time just disappears
- 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 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ 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.	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	
62 N 2E	3				~~100%~~														5

Total number of acres to be irrigated 5

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

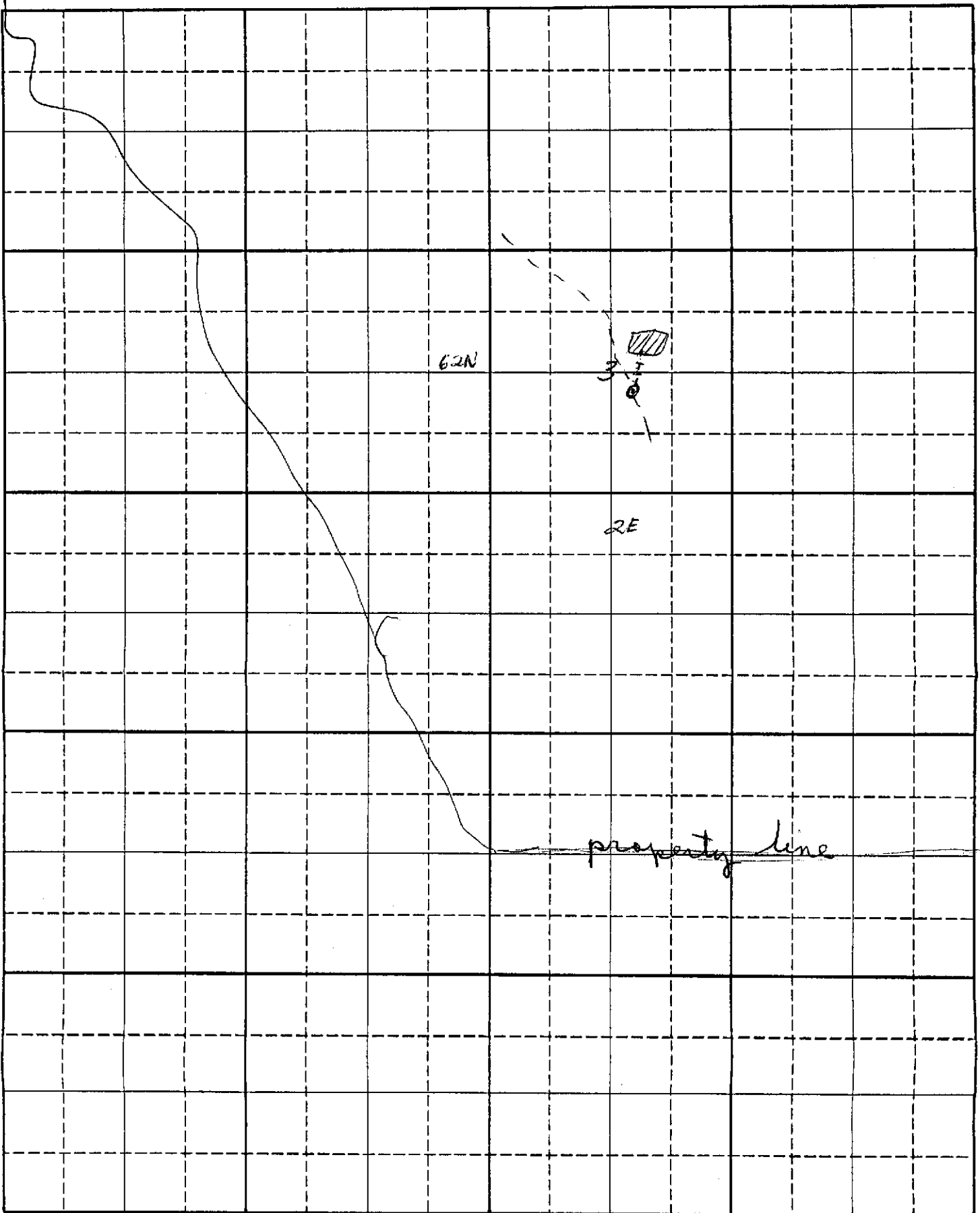
9. a. Who owns the property at the point of diversion Melvin Peterson

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

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 At present time, mud + debris from a slide higher up has caused new areas. This will have to be cleared by a cat to make any kind of former appearance. This will make the storage dam hard to figure as to height, etc.

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.

Melvin Peterson
(Applicant)

Proposed Priority 10-15-1974

Received by CP Date 10-15-74 Time 1:00 p.m.

Preliminary check by JP Fee \$ 10.00

Inspected by JP Date 10-15-74 # 15107

Publication prepared by CP Date 10-18-74

Published in Bonnors Ferry Herald

Publication dates 10-24 & 10-31-74

Publication approved CP Date 11-11-74

Priority reduced to _____ Reason _____

Protests filed by: Moyie, Inc., Parker Water Association, and City of Moyie Springs, Idaho

Copies of protests forwarded by CP

Hearing held by AKD Date Dec. 19, 1974

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. 98-7123, and said application is hereby APPROVED.

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

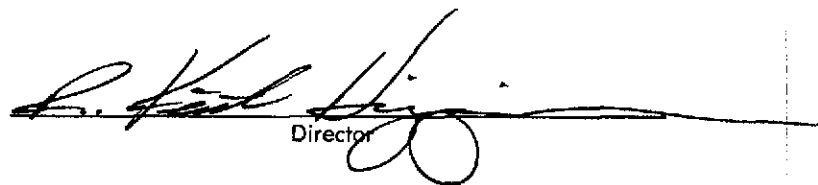
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 80.

c. Other: (1) The pipeline leading from the source of water to the place of use not exceed 1½ inches in diameter. (2) That the conveyance be by gravity flow only. (3) That the remainder of the stream be diverted back into the old creek channel so it flows southward instead of northward.

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

Witness my hand this 5 day of February 19 75.


Director

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 98-7123

- ☒ 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) FB 10/19/74

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) FB 10/10/74

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 11/11

Affidavit of Publication received(date) Nov 7, 1974

(12) CP 11/11

Final date for protests November 11, 1974
Protests received: yes ☒ no _____

(13) FB 1/29/75

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

(14) FB 1/29/75

Action recommended:

☒ Approve _____ Deny

10/15/74 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

☒ See attached sheet for other conditions of approval (See memo written 1/29/75
See with drawn letter)

_____ No special conditions for approval

(15) District D. Patterson

By [Signature] Date 1/29/75

RECEIVED

JAN 30 1975

Department of Water Resources

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Melvin Peterson, Route 1, Moyle Springs, Idaho has on Oct. 15, 1974 submitted Application No. 98-7123 for a permit to appropriate 0.10 cubic feet per second of water from a Creek within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, B.M., Boundary County to be used from April to October for the irrigation of five acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, 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 Nov. 11, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Oct. 24 and Oct. 31, 1974-ldwr

MICROFILMED

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO }
County of Boundary } ss.

Echo Turnbull, bkpr. for W. H. Chubb

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

publishing Northern District of Idaho

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 #98-7123

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 Oct. 24, 1974, 196, and ending with the issue dated Oct. 31, 1974, 196.

Subscribed and sworn to before me this 5 day of Nov., 1974.

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

April 24, 1979

Re: Water Right No. 98-7123

Melvin Peterson

Route 1

Moyie Springs, Idaho 83845

Dear Mr. Peterson:

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2215

C. Stephen Allred
Director

April 6, 1979

Re: Permit No. 98-7123

Melvin Peterson
Route 1
Moyle Springs, Idaho 83845

Dear Mr. Peterson:

A representative of this Department made an examination of the works covered by your Permit No. 98-7123 on August 21, 1978, and has found the following:

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

The maximum quantity diverted shall not exceed 7.3 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, Twp. 62N, Rge. 2E, B. M.

Beneficial use: Irrigation of 5 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp.
62N, Rge. 2E, B. M.

Priority date established: October 15, 1974

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,

JAN GROVER
Water Rights Supervisor

JG/kw

RECEIVED
MAY 10 1979

98-7123

RECEIVED

March 12, 1979

Department of Water Resources

Department of Water Administration
State of Idaho
Boise, Idaho

Dear Sirs;

In the early months of 1978, we were inspected (onsite) for a water right that was found to be correct under our water right application, Identification No 98-7123. We were told to send information to your office where a water right permit would be sent by mid-summer.

We realize it takes state government a little time to gather details. But, gentlemen, isn't it just a bit too much? We would like some action on this at once since we paid money for the right.

Our application has been stamped approved and signed by the Director in Coeur D'Alene, R. Keith Higginson, dated 5 February 1975

Sincerely yours,

Melvin Peterson

Melvin Peterson
Rt. 1,
Mayie Springs, Idaho
83845

UNRECORDED

Melvin Petersen
Rt1,
Moyie Springs, Id
82845



RECEIVED
MAY 12 1979
U.S. POSTAL SERVICE

Department of Water Administration

State of Idaho,

Boise, Idaho

83720

3-5-1
RECEIVED
APR 21 1978
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535
ONE

8-5-

APR 21 1978

Department of Wildlife Resources
 Northern District Office
 Phone 347-2592
 Date APR 21 1978

3. Water will be used for the following purposes:

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.10 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 62N N/S, Range 2E E/W, B.M., Section 3, Subdivision NW $\frac{1}{4}$ SE $\frac{1}{4}$, Boundary
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County _____

Other Points of Diversions: _____

Description of diverting works: $3\frac{1}{2}$ ' dam w/ sunken barrel to hold wtr. in
4 mud out. $1\frac{1}{4}$ " pipe to garden - cattle all winter.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

MICROFILM

TOTAL ACREAGE _____ 5-

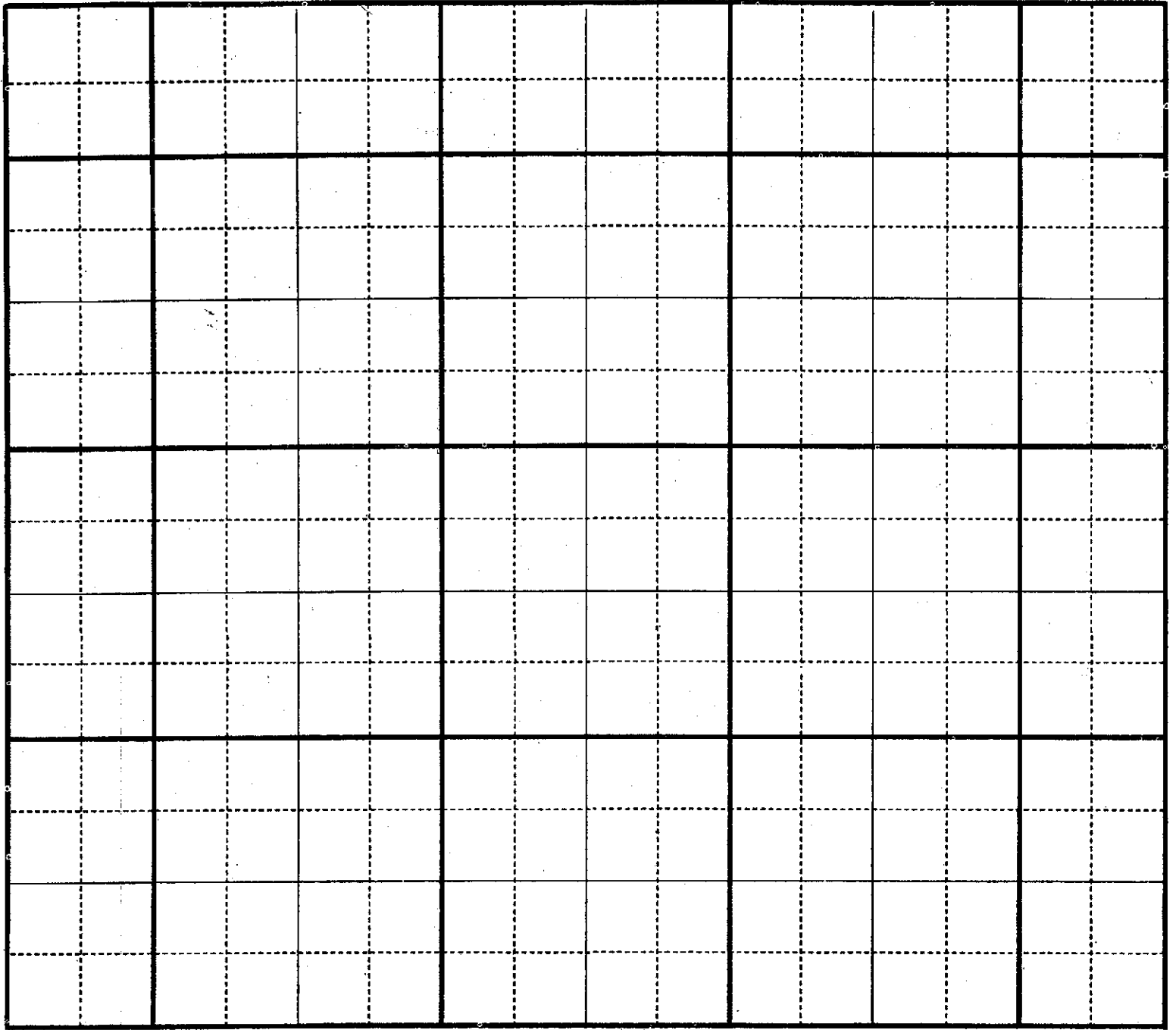


Diagram of System

5 1/2' Mud Dam
Earth Spilling 2 1/2'

DATE OF EXAM 8-21-78

ACREAGE

Found 5
Recommended 5

Irrigation Requirement 3 Ac Ft/Ac

USE

Irrigation Q = 0.02 c.f.s. V = 7.29 AF/Ann. from 4-1 to 10-1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 20 gals in 2 min 51 secs Method of measurement 5 gal. bucket

Total Q recommended 0.02 cfs Meter No. — Type — Condition —

Total V recommended 7.29 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

$20 \text{ gals} \div 2 \text{ min } 51 \text{ secs} = 7.02 \text{ gpm} \div 448.8 = 0.016 \text{ cfs} \therefore 0.02 \text{ cfs}$

$0.02 \text{ cfs (1.84 dam) (1.93)} = 7.286 \text{ AF/Ann} \therefore 7.29 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

5 1/2 ft mud dam (3 1/2 ft x 2' spillway in stream. 50 gal drum used as filter with pipe to stock tank where water over flows to ir. pasture and pipe line from from dam to garden hose bibs (2).

REMARKS:

Stock drink some of the water intended for irrigation but no way of measuring how much. No stock water rights applied for.

Examiner's Signature J King Date 8-23-78

Checked by Bob Haynes Date 8-23-78

Approved by _____ Date _____

April 20, 1978

Re: Permit No. 98-7123

Melvin Peterson
Route 1
Moyie Springs, Idaho 83845

Dear Mr. Peterson:

We acknowledge receipt of the affidavit submitted as proof of beneficial 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 cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

Identification No. 9B-7123

Permit No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 18 1978 *aj*

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Melvin Peterson
b) Post Office Address Route 1, Mayie Springs, Idaho 83845
2. Permit Number No no assigned
3. Date of Priority that you are prepared to establish February 1, 1980
4. a) Source from which water was appropriated stream - no name - runs only in wet weather
b) Location of the point of diversion: NW 1/4 SE 1/4, Section 3
Township 62 N, Range 2 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount .10 for garden + cattle purposes from April 1 to Oct 1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated less than .10 - Melvin Peterson cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 1 1/4" pipe line - flows only briefly in good weather - Melvin Peterson
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
☒ Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: 1 1/4" inch pipe - earthen dam
exposed back to flow south
☒ Describe the agreement or understanding by which you take water from the works: 1 1/4" pipe and turn flow southward
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) earthen dam with sunken barrel to hold water in + mud out until the ground can filter out dirt. 1 1/4" pipe down to our garden + where cattle are watered. Most of the flow is given onto garden at present time
b) Describe the type and size of measuring device which you have installed at your point of diversion: 3 1/2 ft dam with 50 gal barrel for strainers.
1 1/4" pipe line all the way
c) Give well driller's name and address and the date the well was completed: None - surface water
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: The use has been for our garden, but if it ever reaches the point where we have enough, we want to water cattle in the summer, which is now done by our hose system or hauled.

Exam typed 4/20/78 *aj*

MICROFILMED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
62N	2E	3			###														5

Total number of acres irrigated 5

10. Remarks: The stream is not a large one and flow is small.
mainly during rain or a small flow at night sometimes.

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

April 16, 1978
(Date)

X Melvin Peterson
(Signature)

State of Idaho)
County of Bannock) ss.

On this 16 day of April, 1978, personally appeared before me
the signers of the above instrument, who duly acknowledged to me that (he)(she) (they) executed the same.

John B. Peterson
Notary Public residing at Conner Ferry
Idaho

My commission expires June

April 7, 1978

Re: Permit No. 98-7123

Mr. Melvin Peterson
Star Route One
Moyie Springs, Idaho 83845

Dear Mr. Peterson:

In regards to your letter we received April 5, 1978, enclosed is an application of water to proof of beneficial use form which you need to complete and return to this office before we can inspect your project.

If you have any questions regarding the completion of this form, please let us know.

Sincerely,

JANICE RENK
Water Rights

Encl.

UNRECORDED

Notice

MRS. MELVIN PETERSON
STAR ROUTE ONE
MOYIE SPRINGS
IDAHO 83845

RECEIVED

APR 5 1978

Department of Water Resources

Mr. Bobby Fleenor,
Chief, Water Rights
Boise, Idaho,

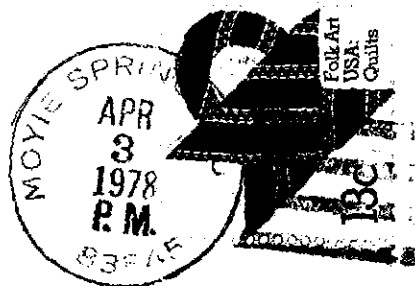
Dear Sir,

This is to inform you that our application
for water right, Permit no. 98-7123 has
been finished as to size of pipe & dam
needed. It is ready for inspection as to
our Office's past instructions.

ENCLOSURE

To come from Bonners Ferry, take right
hand turn (Montana cutoff) 3 miles North of
Bonners. Turn left, last road before crossing
Moyie Bridge - 2 miles in - 1st house on left
(red),
Sincerely, Melvin Peterson

MELVIN PETERSON
RT. 1
MOYIE SPS, IDA.
83845



State of Idaho
Department of Water Resources
Statehouse,
Boise, Idaho. 83720

MICROFILMED

January 5, 1975

Re: Permit No. 98-7123

Mr. Melvin Peterson
Route 1
Moyie Springs, Idaho 83345

Dear Mr. Peterson:

Enclosed is a copy of your approved Application for Permit No. 93-7123. 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

MICROFILMED

MEMO

TO: FILE

FROM: Fred Eisenbarth

DATE: January 29, 1975

SUBJECT: Approval of Application No. 98-7123 (Melvin Peterson)

On December 18, 1974, a hearing was held in Bonners Ferry, Idaho, to discuss the above application. Ken Dunn was the hearing officer. The applicant and the protestants (represented by Attorney Peter Wilson) were both present. The main objections for protest were the following:

- (1) The proposed source of water to be diverted by the applicant is part of the originating source of Moyie Springs;
- (2) That any further appropriation of this source will diminish the water available at Moyie Springs;
- (3) That during the months of July, August, and September, all the water from Moyie Springs is diverted by the Parker Water Association who furnishes water to the town of Moyie Springs which includes back-up water for fire protection of a saw mill.

As a result of this hearing, the protestants agreed to withdraw their protests if the permit was limited to the following conditions:

- (1) The pipeline leading from the source of water to the place of use not exceed 1½ inches in diameter;
- (2) That the conveyance be by gravity flow only;
- (3) That the remainder of the stream be diverted back into the old creek channel so it flows southward instead of northward.

The applicant, Mr. Peterson, agreed to these terms at the hearing. I also telephoned Mr. Peterson on January 29, 1975, and asked if he had received a copy of the withdrawal letter from Mr. Wilson dated January 24, 1975. He stated that he had and that he fully accepted the conditions as listed.

Therefore, after considering the evidence submitted during the hearing, and the withdrawal of protests, I recommend that the application be approved subject to the above conditions.


FRED EISENBARTH

MICROFILMED

WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

205 W. KOOTENAI
PHONE AN 7-3127
AN 7-3128
P. O. BOX 749
BONNERS FERRY, IDAHO — 83805

January 24, 1975

State of Idaho
Department of Water Resources
401 Front Avenue
Coeur d'Alene, Idaho 83814

Re: Application for permit No. 98-7123
Melvin Peterson

Gentlemen:

Supplementing our discussion at the hearing held on December 19, 1974, this is to advise that at its meeting in January, the Parker Water Association (with approval of the City of Moyie Springs) withdrew its protest on condition that the pipeline not exceed 1½ inches inside diameter, that flow be for gravity only, and that the remainder of the stream be diverted back into the old Creek channel so it flows southward instead of northward.

Please advise if you need further information.

Very truly yours,

WILSON & WALTER

Peter B. Wilson

PBW/bas

cc: Mr. Melvin Peterson

MICROFILMED

98-7123 Melvin Peterson

150 gpm from Springs

200,000 gal storage tank
Late July through Sept. pump $\approx$ 20 hrs per day

Hearing

Oath

Protestant - Attorney Peter Wilson
Bruce Dougal

Parker Water $\approx$ 1968

Approp. to beneficial use 1968

Mogie Springs Water System 1948

~~1955~~ 1955 City purchased from private company

X Is there a measuring device to determine
output?

X Variance in flow from year to year?

Source North of Mogie $\approx$ $1\frac{1}{4}$ mi.

— Several months from diversion stop to return flow
How many months what springs dried up.

Travis Young

Melvin Peterson

Present flow $\approx$ 2 gals per minute

MICROFILMED

98-7123 - Melvin Peterson

Employment Office, Boundary County Courthouse
Bonners Ferry, Idaho

December 18, 1974 - 3:00 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Peter L. Wilson	Box 249 Bonners Ferry	Parker Water Assn. Inc.
Travis Yungue	Box 126 Moyie Springs	+ Moyie, Inc.
R B Dugal	Box 42 Moyie Spring	
Carl W Becka	Stron	Moyie Spring
Melvin Peterson	Moyie Spring	

MICROFILMED

December 10, 1974

Re: Application for Permit No. 98-7123

Mr. Malvin Peterson
Route 1
Moyie Springs, ID 83845

Dear Mr. Peterson:

This is to confirm our telephone conversation with Mrs. Peterson on December 10, 1974, to inform you of the change in the conference and/or hearing originally scheduled for December 18, 1974, at 3:00 p.m.

This meeting has been re-scheduled for December 19, 1974, at 9:00 a.m., in the Commissioner's Room of the Boundary County Courthouse, Bonners Ferry, Idaho.

Feel free to contact us if there are any questions.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

bcc: Boise Office

MICROFILMED

December 10, 1974

Re: Application for Permit No. 98-7123 - Melvin Paterson

Mr. Peter B. Wilson
WILSON & WALTER
P.O. Box 749
Bonners Ferry, ID 83805

Dear Mr. Wilson:

This is to confirm our telephone conversation with your office on December 10, 1974, to inform you of the change in the conference and/or hearing originally scheduled for December 18, 1974, at 3:00 p.m.

This meeting has been re-scheduled for December 19, 1974, at 9:00 a.m., in the Commissioner's Room of the Boundary County Courthouse, Bonners Ferry, Idaho.

Feel free to contact us if there are any questions.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

bcc: Boise Office

MICROFILMED

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address including ZIP Code.

- If special services are desired, use block(s) on other side.
- Moisten gummed ends and attach back of article.

**RETURN
TO**

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
401 FRONT AVENUE, ROOM 209
COEUR D'ALENE, IDAHO 83814

PS Form 3811
June 1973

MICROFILMED

Department of Water Resources
Northern District Office
1974

98-7123

SENDER: Be sure to follow instructions on other side**PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)***(Additional charges required for these services)*☐ Show address
where delivered☐ Deliver ONLY
to addressee**RECEIPT****Received the numbered article described below**

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

748139

①

Peter B. Wilson

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

R. Behm

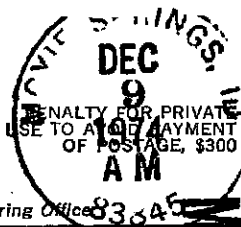
DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

DEC 6 - 1974

③

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office 83845

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

PS Form 3811
June 1973

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
401 FRONT AVENUE, ROOM 209
COEUR D' ALENE, IDAHO 83814

MICROFILMED

98-7123

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

748138

1

Melvin Peterson

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

12-9-74

NAME AND ADDRESS OF SENDER

DEPT. OF WATER RESOURCES (Northern District)

Indicate type of mail

☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

H E A R I N G S

Dec. 5, 1974

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE REMARKS
1	748138 Melvin Peterson, Rt. 1, Moyie Springs, Idaho	.10	30¢			15¢			98-7123
2	748139 Peter B. Wilson, Attorney, Box 749, Bonners Ferry	"	"			"			"
3	748175 Colleen L. Robinson, 849 Warmlands Ave., Vista, Calif.	"	"			"			98-7124
4	748131 Mr. & Mrs. F. A. Tanner, St. Rt. 2, Bonners Ferry	"	"			"			"
5	748132 Ronald Wustling, Box 46, Bonsall, California	"	"			"			"
6	748133 John R. &/or Carol Bertoni, Lakeview Landing, Bayview	"	"			"			96-7336
7	748134 Michael, James, & Kevin Fitzpatrick, Box 873, Cd'A.	"	"			"			"
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									

*SENT BY CERTIFIED MAIL 12-5-74.
CORA PATTERSON*

TOTAL NUMBER OF PIECES LISTED BY SENDER SEVEN (7)	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	POSTMASTER, PER (Name of receiving employee)
---	--	--

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

POD Form 3877-A—July 1958

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval
of Application for Permit No. 98-7123 in
the name of MELVIN PETERSON

NOTICE OF CONFERENCE
AND/OR HEARING

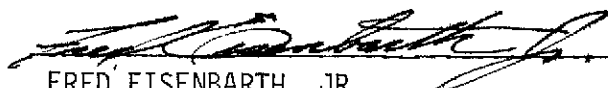
On October 15, 1974, Melvin Peterson filed with the Department of Water Resources (formerly the Department of Water Administration) an application to appropriate the public waters of the State of Idaho. On November 11, 1974, the Department received protests against approval of said application from Moyie Inc., Parker Water Association, Inc., and the City of Moyie Springs, Idaho.

The Department has set the matter of protests for conference and/or hearing for Wednesday, December 18, 1974, at 3:00 p.m., in the Employment Office of the Boundary County Courthouse, Bonners Ferry, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 5th day of December, 1974.


FRED EISENBARTH, JR.
Northern District Manager

MICROFILMED

December 4, 1974

Clerk of the District Court
Boundary County Courthouse
Bonners Ferry, ID 83805

Dear Sir:

This is to confirm the use of the Employment Office for conference and/or hearing to be held by this office on Wednesday, December 18, 1974.

Thank you for your cooperation in this matter.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

MICROFILMED

November 27, 1974

Re: Application for Permit No. 98-7123 - Melvin Peterson

Mr. Peter B. Wilson
WILSON & WALTER
P.O. Box 749
Bonners Ferry, ID 83805

Dear Mr. Wilson:

This is to acknowledge receipt of your protests to issuance of a permit pursuant to the above referenced application. In our letter of November 18, 1974, we stated the four principle items we can consider in either approving or denying an application.

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of any further assistance, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

bcc: Boise Office

MICROFILMED

November 27, 1974

Re: Application for Permit No. 98-7123

Mr. Malvin Peterson
Route 1
Moyie Springs, ID 83845

Dear Mr. Peterson:

We have enclosed copies of the protests filed against the issuance of a permit pursuant to your Application No. 98-7123. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required (Section 42-202, Idaho Code).

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

MICROFILMED

Page 2

Re: 98-7123

Mr. Melvin Peterson

November 27, 1974

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any further assistance, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosures

bcc: Boise Office

MICROFILMED

WILSON & WALTER

ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

205 W. KOOTENAI
PHONE AN 7-3127
AN 7-3128
P. O. BOX 749
BONNERS FERRY, IDAHO — 83805

November 22, 1974

Mr. Fred Eisenbarth
Department of Water Resources
Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814

Re: Application for Permit No. 98-7122
" " " " 98-7123

Dear Mr. Eisenbarth:

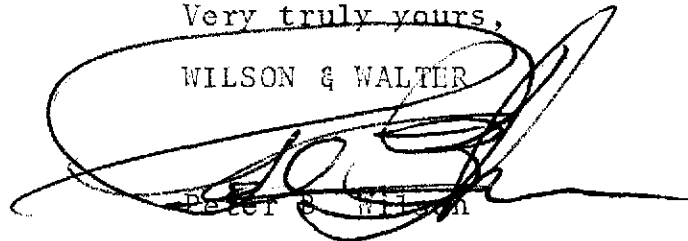
Thank you for your letter of November 18, 1974. I just returned to the office on November 21.

I re-enclose our previous objection as to permit No. 98-7123, the application of Melvin E. Peterson. The calls about this application came in at the very last minute before November 11, and hence the rather hurried response and the inaccuracy in also complaining against No. 98-7122 (Steven G. Thompson).

We have typed on the bottom of our prior letters the grounds for our objections.

Very truly yours,

WILSON & WALTER



pbw:rb
encl

OK. 7/2
11/20/74

MICROFILMED

**NOTICE OF CLAIM TO A
WATER RIGHT**

NO. 98-4056

Notice is hereby given that Harry J. Behrman, Star Route, Moyie Springs, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from an Unnamed Spring with point of diversion in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock watering purposes (0.02 cfs) and from July 1 to Nov. 30 for domestic purposes (0.04 cfs) with priority of 1962; the place of use is within the NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Ave. Coeur d'Alene, Idaho, 83814.

R. KEITH HIGGINSON
Director

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

November 21

Dear Mr. Eisenborth,

This is in regard to my phone call to you last week re the ~~claim to~~ Water Right No. 98-4053 & one other. You told me a protest had been filed by Peter Wilson for the City of Moyle and Parker Water System.

He was out of town when I called. I left my number & called three times since. He is either too busy to speak with me or out. I explained what I wanted to discuss with his secretary.

As my husband suggested to Mr. Behrman, he has filed his claim to water rights he has used. These are located a good $\frac{1}{4}$ mile from our property line where we want

RECEIVED

VERA

RECEIVED

NOV 25 1974

Department of Water Resources
Northern District Office

to dam up & pipe water to our garden.

Now, I would like suggest to you look for a protest from Mr. Wilson to Mr. Behrman's claim. If he does not, then you will know something is fishy somewhere as Mr. Behrman's claims ^{are} on the same unnamed creek and much further up then what we wanted. The water we intend to use is left over from Behrman's flow & it disappears into the ground shortly after entering our property.

I see no earthly reason Mr. Wilson would find a protest necessary unless the second printing of our claim was mistakenly placed on the wrong creek - it was named in the second printing, and as our county assessor said - it was not named. This may be the basis for Mr. Wilson's letter to you.

We would like to go ahead with this if we could & would welcome any aid you can give us to speed it up.

Thank you.

Mr. Behrman has said he put the system to No 98-4053 in 1931.

MICROFILMED
Very sincerely,
Mrs Melvyn Peterson

RECEIVED
JAN 10 1957

MOYIE

Dept. of

Northern District Office

401 Front Ave, Room 209

Coeur D'Alene, Idaho

83814

Attn: Fred Eisenborth

MRS. MELVIN PETERSON
STAR ROUTE ONE
MOYIE SPRINGS
IDAHO 83845

Re

Application 98-7123

November 18, 1974

Re: Application for Permit No. 98-7122 - Steven G. Thompson
" " " " 98-7123 - Melvin Peterson

Mr. Peter B. Wilson
WILSON & WALTER
Attorneys at Law
P.O. Box 749
Bonners Ferry, ID 83805

Dear Mr. Wilson:

We are returning the protests you submitted in behalf of the City of Moyie Springs, Moyie, Inc., and Parker Water Association, Inc., in connection with the above referenced applications. Section 42-203 of the Idaho Code states that any person, firm, association, or corporation may file a written protest against the approval of a permit to appropriate the public waters of the State of Idaho. This protest shall state the name and address of the protestant and shall be signed by him or his agent and shall clearly set forth his objections to the approval of such application.

The protests you submitted do not indicate the reasons for objecting to the issuance of these permits. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit:

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

MICROFILMED

Page 2

Re: 98-7122 and 98-7123

Mr. Peter B. Wilson

November 18, 1974

Please return the protests to our office as soon as possible, including the reasons for objecting. We will accept November 11, 1974 (the date we received your letters), as the date of protest; however, we must receive your reply to this letter as soon as possible so that we may take the necessary steps to process these protests.

If there are any questions in this matter, feel free to contact our office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

MICROFILMED

WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

RECEIVED

NOV 26 1974

Department of Water Resources
Northern District Office

205 W. KOOTENAI
PHONE AN 7-3127
AN 7-3128
P. O. BOX 749
BONNERS FERRY, IDAHO — 83805

RECEIVED

NOV 11 1974

Department of Water Resources
Northern District Office

November 8, 1974

Idaho Board of Water Resources
401 Front Avenue
Coeur d'Alene, Idaho 83814

Gentlemen:

On behalf of MOYIE INC., I, as their counsel, do now formally protest any attempt to grant a permit under Melvin E. Peterson's Application #98-7123 from a creek within the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Three (3), Township Sixty-two (62) North, Range Two (2) East, B. M., Boundary County, Idaho.

Very truly yours,

WILSON & WALTER

Peter B. Wilson

PBW/bas

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

The ground for objections is:

1. The the proposed use will reduce the quantity of water under existing water rights in use.

OK TE 11/26/74

MICROFILMED

WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

RECEIVED

NOV 26 1974

Department of Water Resources
Northern District Office

205 W. KOOTENAI
PHONE AN 7-3127
AN 7-3128
P. O. BOX 749
BONNERS FERRY, IDAHO — 83806

RECEIVED

NOV 11 1974

Department of Water Resources
Northern District Office

November 8, 1974

Idaho Board of Water Resources
401 Front Avenue
Coeur d'Alene, Idaho 83814

Gentlemen:

On behalf of Parker Water Assn., Inc., I, as their counsel, do now formally protest any attempt to grant a permit under Melvin E. Peterson's Application #98-7123 from a creek within the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Three (3), Township Sixty-two (62) North, Range Two (2) East, B. M., Boundary County, Idaho.

Very truly yours,

WILSON & WALTER

Peter B. Wilson

PBW/bas

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

The ground for objection is:

1. That the proposed use will reduce the quantity of water under existing water rights in use.

OK 11/26/74

MICROFILMED

WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

RECEIVED

NOV 26 1974

Department of Water Resources
Northern District Office

205 W. KOOTENAI
PHONE AN 7-3127
AN 7-3128
P. O. BOX 749
BONNERS FERRY, IDAHO — 83806

RECEIVED

NOV 11 1974

Department of Water Resources
Northern District Office

November 8, 1974

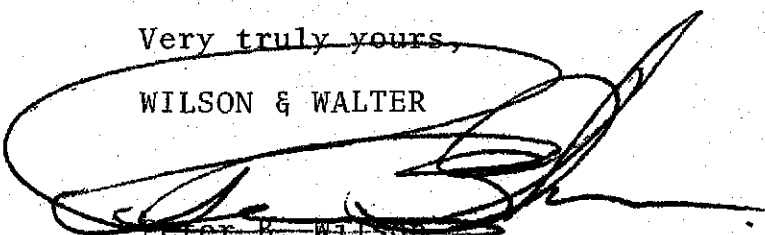
Idaho Board of Water Resources
401 Front Avenue
Coeur d'Alene, Idaho 83814

Gentlemen:

On behalf of the City of Moyie Springs, Idaho, I, as their counsel, do now formally protest any attempt to grant a permit under Melvin E. Peterson's Application #98-7123 from a creek within the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Three (3), Township Sixty-two (62) North, Range Two (2) East, B. M., Boundary County, Idaho.

Very truly yours,

WILSON & WALTER


Peter B. Wilson

PBW/bas

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

The ground for objection is:

1. That the proposed use will reduce the quantity of water under existing water rights in use.

OK 78
11/26/74

MICROFILMED

October 18, 1974

Re: Application No. 98-7122 Claim No. 98-4053
 " " 98-7123 " " 98-4054
 " " 98-7124

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 11-11-74 by CP

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin Peterson,

 Route 1, Moyie Springs, Idaho

has on Oct. 15, 1974 submitted Application No. 98-7123

for a permit to appropriate 0.10 cubic feet per second ~~and cubic feet per second~~

of water from a Creek

~~XXXXXXXXXX~~

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, B.M., Boundary County

to be used from April to October

for the irrigation of five acres

within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, 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 Nov. 11, 1974 .

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho

on Oct. 24 and Oct. 31, 1974

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Melvin Peterson, Route 1, Moyie Springs, Idaho has on Oct. 15, 1974 submitted Application No. 98-7123 for a permit to appropriate 0.10 cubic feet per second of water from a Creek within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, B.M., Boundary County to be used from April to October for the irrigation of five acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 62N, R. 2E, 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 Nov. 11, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Oct. 24 and Oct. 31, 1974.-idwr

O.K.
10-30-74
UP

RECEIVED
OCT 24 1974
IDWR

October 18, 1974

Re: Application for Permit No. 98-7123
Claim to a Water Right No. 98-4053

Mr. Melvin Peterson
Route 1
Moyie Springs, ID 83845

Dear Mr. Peterson:

Attached is your receipt No. 15107 in the amount of \$20 for the filing fees on the above referenced items which were received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Attachment

MICROFILMED