

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7121 Priority October 3, 1974 Amount .04 cfs

THIS IS TO CERTIFY, that ROBERT E. GOODBRAND
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 98-7121 issued pursuant to Application for Permit dated October 3, 1974,
and has submitted proof to the Department of Water Resources on September 14, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .04 cfs of water from unnamed stream,
tributary to Deep Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>May 15</u> to <u>October 15</u> at <u>04</u> cfs and <u>1.2</u> acre feet		
	from <u>to</u> at <u>cfs</u> and		
	from <u>to</u> at <u>cfs</u> 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 confined 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 SW 1/4, Sec. 25, Twp. 60N,
Rge. 1W, B.M. in the County of Boundary

Description and location of place of use:

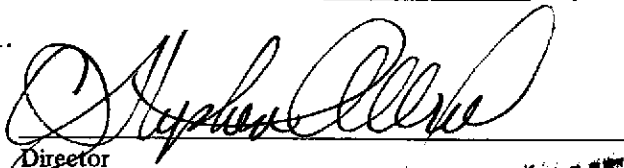
Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
60N	1W	25							X										

Total number of acres irrigated _____

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

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

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


Director

RECORDED

Identification No. 98-7121

Application No. _____

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)

APPROVED

1. Name of applicant Robert E. Goodbrand Phone: _____
post office address 962 North Fifth Street, Coeur d'Alene, Idaho 83814
2. Source of water supply Unnamed Creek which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25 Township 60N
Range 1W B.M. Boundary County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.12 for Domestic purpose from May 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.12 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 3/4" plastic pipeline from creek to
place of use.

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: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25 Township 60N
Range 1W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

Total number of acres to be irrigated _____

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

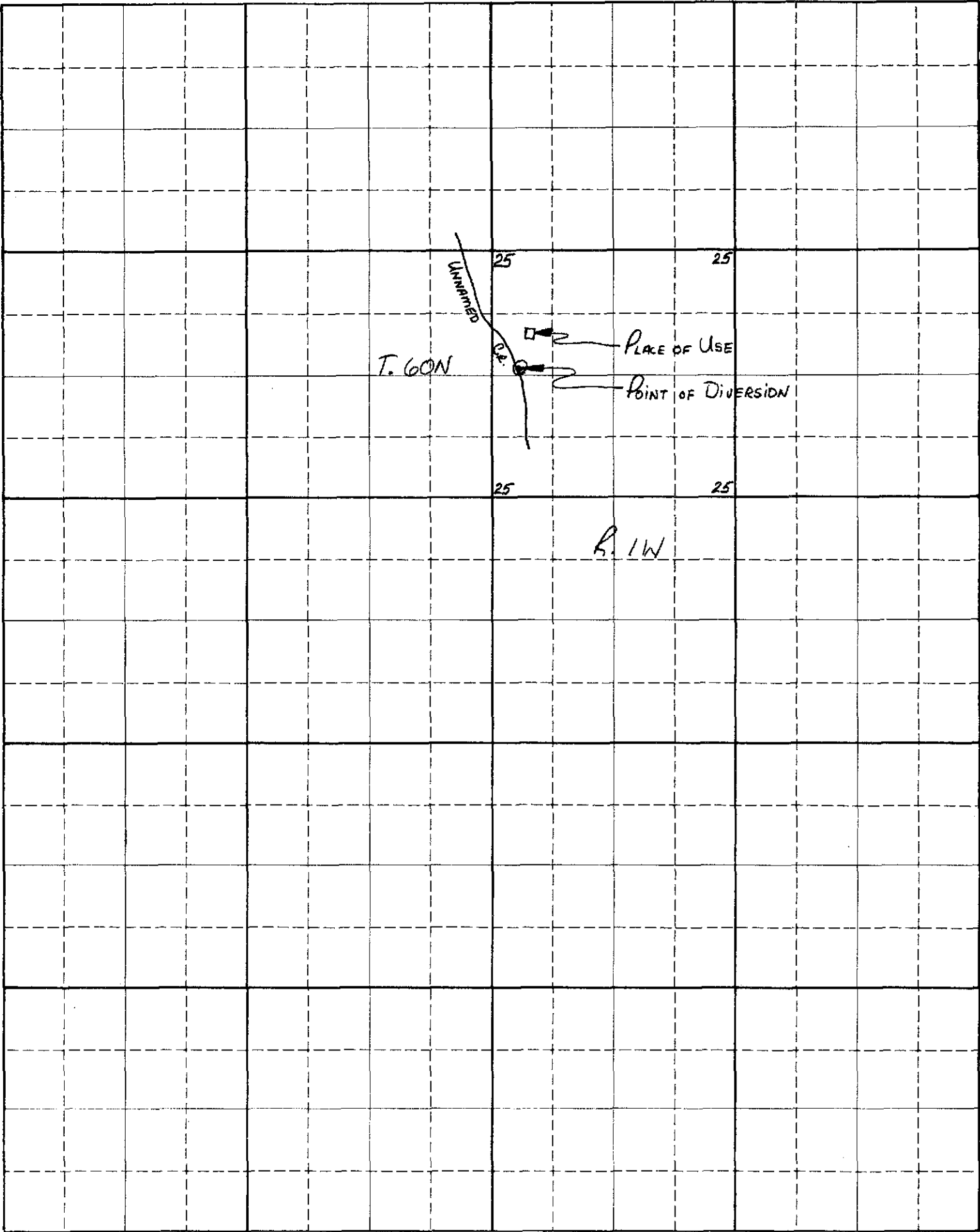
9. a. Who owns the property at the point of diversion Applicant

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.

x Robert E. Goodbread
(Applicant)

~~Proposed Priority~~ 10-03-1974

Received by cp Date 10-3-74 Time 3:30 p.m.

Preliminary check by FE Fee \$ 10.00

Receipted by cp Date 10-3-74 (Rec't. #15090)

Publication prepared by cp Date 10-11-74

Published in Bonnors Ferry Herald

Publication dates 10-17 & 10-24-74

Publication approved cp Date 11-11-74

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by dr jss

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. 98-7121, and said application is hereby APPROVED.

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

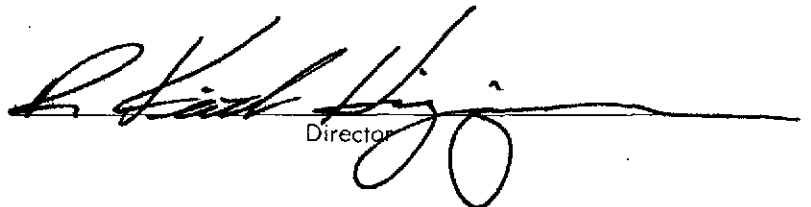
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 79.

c. Other: _____

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

Witness my hand this 19 day of November 1974.


Director

AFFIDAVIT OF PUBLICATION

RECEIVED
NOV 7 1974

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 Department of Water Resources
publisher Northern District Office

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 #98-7121

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, com-
mencing with the issue dated Oct. 17, 1974, 196____, and ending with the
issue dated Oct. 24, 1974, 196____

Echo Turnbull, bkpr

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

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Rob-
ert E. Goodbrand, 962 North Fifth
Street, Coeur d'Alene, Idaho has on
Oct. 3, 1974 submitted Application
No. 98-7121 for a permit to approp-
riate 0.12 cubic feet per second of
water from an Unnamed Creek by
means of pipeline within the SW $\frac{1}{4}$ -
NW $\frac{1}{4}$, Sec. 25, T. 60N, R. 1W, B.-
M., Boundary County to be used
from May 15 to Oct. 15 for domes-
tic purposes within the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 25, T. 60N, R. 1W, B.M.

If issued, this permit will be sub-
ject to all prior water rights. Pro-
tests against the granting of the
permit must be filed with the Ida-
ho Department of Water Resources,
401 Front Ave., Coeur d'Alene, Ida-
ho, 83814 on or before Nov. 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry
Herald, Bonners Ferry, Idaho on
Oct. 17 and Oct. 24, 1974-lawr

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MEMORANDUM

RECEIVED

NOV 29 1985

Department of Water Resources

TO: File

VIA: Bob Haynes and Bob Fleenor

FM: Tom King

RE: 98-7619 and 98-7121 ✓

DATE: November 26, 1985

Mr. Baldwin contacted this office to inform me that he and Mr. Warmkessel have reached an agreement. According to Mr. Baldwin, Mr. Warmkessel had not intended to infringe upon Mr. Baldwin's water right (No. 98-7121) and further, that he (Mr. Warmkessel) would extend Mr. Baldwin's water line into the NWSW Sec. 25 and install the line in the dam below his own line to insure that he would not again infringe on Mr. Baldwin's water right.

I informed Mr. Baldwin that he must file for a Transfer of Point of Diversion and have an easement to the new location prior to extending the water line.

Tom King

MICROFILMED

November 6, 1985

RECEIVED
NOV 7 1985

Department of Water Resources
Northern District Office

Mr. William F. Warmkessel
Box 410 C Shiloh Road
Naples, ID 83847

Dear Mr. Warmkessel,

Attached is the copy of a receipt for certified mail that was mailed to you on 1 October 1985. A return receipt for this letter was requested. A tracer was placed on this letter on November 1, 1985.

To make a long story short, I just returned from the post office and apparently the letter has been lost. This can be verified by your contacting George Smith at the Coeur d'Alene Post Office.

I am also attaching a copy of my original letter of October 1, 1985.

This is my final effort to contact you. If there is no response by November 20, 1985, I shall proceed to pursue this through the Department of Water Resources and, if necessary, litigation.

Sincerely,

Bill Baldwin
JESSE W. (BILL) BALDWIN
962 N. 5th St.
Coeur d'Alene, ID 83814
(208) 664-2919

JWB:dg

Enclosures 2

11-1-85

Tom, I also sent a copy of this letter to the Landprint address.

Resident MICROFILMED
Bill Baldwin

P 713 752 898

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

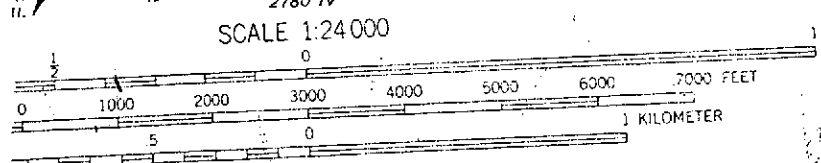
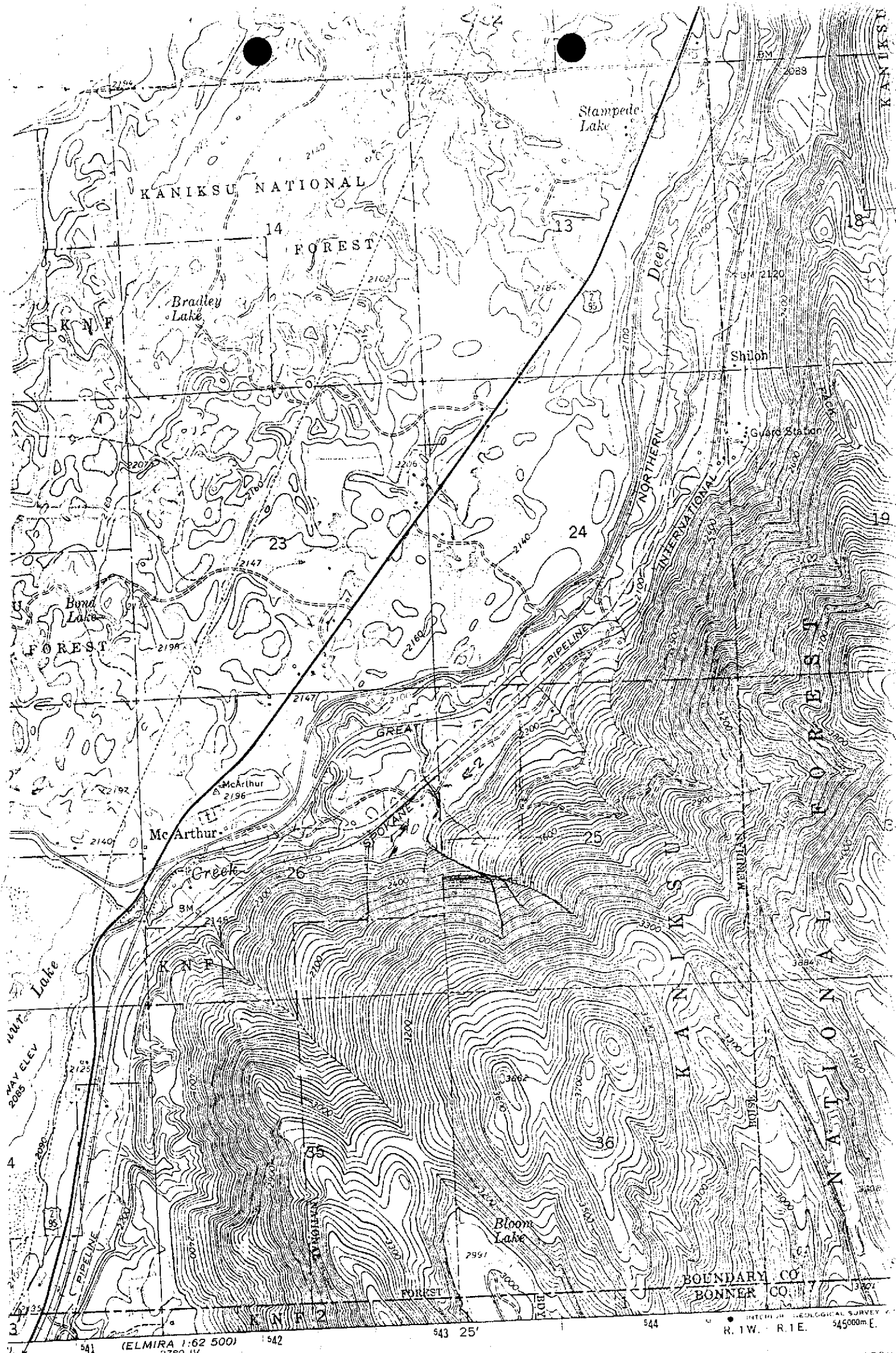
U.S.G.P.O. 1983-403-517

PS Form 3800, Feb. 1982

Sent to	W. F. Warmkessel
Street and No.	700 Elmira Road
P.O., State and ZIP Code	Sandpoint, ID 83864
Postage	\$.22
Certified Fee	.75
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	.70
Return receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 1.67
Postmark or Date	OCT 1 1985 SANDPOINT ID

3811-A Sent GEO. SMITH NOV - 1 1985

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ROAD CLASSIFICATION
 Heavy-duty
 Medium-duty
 U.S.



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GOODBRAND, ROBERT E.
962 N. 5TH ST.
CUEUR D'ALENE, ID 83814

NOVEMBER 14, 1979

RE: 98-7121

DEAR WATER USER:

ENCLOSED IS A COPY OF THE WATER RIGHT LICENSE ISSUED ON THE
ABOVE REFERENCED PERMIT.

SINCERELY,

JIM JOHNSON
WATER DISTRIBUTION SUPERVISOR

ENCLOSURE

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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 24, 1980

Robert E. Goodbrand
962 North Fifth Street
Coeur d'Alene, Idaho 83814

Dear Mr. Goodbrand,

A representative of this Department has made an examination of the works covered by your Permit No. 98-7121, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .04 cfs Source: an unnamed stream

The maximum quantity diverted shall not exceed 1.2 acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Twp. 60N, Rge. 1W, B.M.

Beneficial use: Domestic use within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, Twp. 60N, Rge. 1W.

Priority date established: October 3, 1974.

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,

JAN GROWER
D. M. JOHNSON
Water Rights Supervisor

MICROFILMED

AUG 11 1980

98-7121

Permit No.

REMARKS

10/15/79

K

(List Telephone No. used)

(Date, time, location)

Date 8-1-80

Date 8-1-80 Accompanied by _____

Total Q measured

If source is surface water, estimate total flow of source

Methods of measurement

Meets Permit requirements?

Measurement calculations:

one home ✓

7

[illegible]

System Description 3/4" plastic line in stream then gravel flow
to pipe fuse

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

Irrigation requirement =

AFA/Acre

USE

USE
Bones

Q {cfs}

0.04

V (afa)

1.2

FROM

TO

May 13

Oct 15

Total

0.04/

1.2

Remarks *No one home*

PRODREI 147

SCHEMATIC DIAGRAM OF SYSTEM

Point(s) of diversion: SW NW 1/4 25 60 N, 1 W

Place(s) of Use

TWP.	RGE.	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	
60N	1W	25							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 Bob Haynes

Approved by Robyn

Date 8-1-80

Date 8/5/80

Date 9/3/80

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

RECEIVED

October 15, 1979

OCT 18 1979

Department of Water Resources

Mr. Robert E. Goodbrand
362 N. 5th Street
Coeur d'Alene, ID 83814

RE: 96-7121

Dear Mr. Goodbrand:

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

TDK/pms

cc: IDWR - State Office

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 98-7121

Name(s) of Permit Holder: _____

Robert E Goodbrand
962 N. 5th Street
Cosur D Alene, Ida
83814

Post Office Address: _____

Source of Water: _____

Extent of Use:

- ☒ Domestic 2 (number of households)
☒ Stockwater 2 beef cattle (number and type of stock)
☒ Irrigation 2 acres (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.

Sept 11 1979
Date

Robert E Goodbrand
Signature of Permit Holder

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R. GOODBRAND
962 5TH N.
COEUR D'ALENE, IDAHO
83814



RECEIVED

SEP 14 1979



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 384-2215

GOODBRAND, ROBERT E.
962 N. 5TH ST.
CUEUR D'ALENE, ID 83814

101344

AUGUST 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7121 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 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

MICROFILMED

November 20, 1974

Re: Permit No. 98-7121

Mr. Robert E. Goodbrand
962 North Fifth Street
Coeur d'Alene, Idaho 83814

Dear Mr. Goodbrand:

Enclosed is a copy of your approved Application for Permit No. 98-7121. 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

November 5, 1974

Re: Application No. 98-7121 - Robert E. Goodbrand

Bonniers Ferry Herald
P.O. Box 539
Bonniers 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 October 17 and October 24, 1974.

Your assistance in this matter would be appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

MICROFILMED

October 11, 1974

Re: Application No. 98-7121 - Robert E. Goodbrand

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

RECEIVED
NOV 15 1974

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert E. Goodbrand,

962 North Fifth Street, Coeur d'Alene, Idaho

has on Oct. 3, 1974 submitted Application No. 98-7121

for a permit to appropriate 0.12 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from an Unnamed Creek

by means of pipeline

within the SW 1/4, Sec. 25, T. 60N, R. 1W, B.M., Boundary County

to be used from May 15 to Oct. 15

for domestic purposes

within the SW 1/4, Sec. 25, 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 Nov. 4, 1974.

R. KEITH HIGGINSON

Director

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho

on Oct. 17 and Oct. 24, 1974

RECEIVED

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Robert E. Goodbrand, 962 North Fifth Street, Coeur d'Alene, Idaho has on Oct. 3, 1974 submitted Application No. 98-7121 for a permit to appropriate 0.12 cubic feet per second of water from an Unnamed Creek by means of pipeline within the SW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 25, T. 60N, R. 1W, B.M., Boundary County to be used from May 15 ~~to~~ Oct. 15 for domestic purposes within the SW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 25, 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 Nov. 4, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Oct. 17 and Oct. 24, 1974-ldwr

O.K.
10-17-74
P