

AFFIDAVIT OF PUBLICATION

RECEIVED

NOV 18 1973

STATE OF IDAHO

County of Boundary

ss.

William H. Chubb

Department of Water Administration
Northern District Office

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 Department of Water Administration

a Notice of Application for water permit Boyd Wallace
No. 98-7097

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. 1, 1973, and ending with the issue dated Nov. 8, 1973.

Luck M. Haglan, bookkeeper

Subscribed and sworn to before me this 9 day of Nov., 1973

Quincee Docherty

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

NOTARY PUBLIC for the State of Idaho

Residing at Bonners Ferry, Idaho

MY commission expires February 2, 1974

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Boyd O. Wallace, R. R. No. 1, Box 193, Bonners Ferry, Idaho has on October 19, 1973 submitted Application No. 98-7097 for a permit to appropriate 1.2 cubic feet per second of water from Kootenai River by means of pump, pipeline, and sprinklers within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 62N, R. 2E, B.M., Boundary County to be used from June 15 to Sept. 15 for the irrigation of 60 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before November 19, 1973.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Nov. 1 and Nov. 8, 1973-idwa

98 7097

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7097 Priority October 19, 1973 Amount 1.02 cfs

THIS IS TO CERTIFY, that KENNETH N. & KAREN N. MAC DONALD
of Bonn timers Ferry, Idaho, has complied with the terms and conditions of Permit
No. 98-7097 issued pursuant to Application for Permit dated October 19, 1973,
and has submitted proof to the Department of Water Resources on August 12, 1977,
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 1.02 cfs of water from Kootenai River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>June 15</u> to <u>September 15</u>	at <u>1.02</u> cfs and	<u>180</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 1.02 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
180 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, 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	19														20	40		60

Total number of acres irrigated 60

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 22 day of
December, 19 80.

Director

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 98-7097

IN THE NAME OF KENNETH N. &/OR KAREN N. MACDONALD

ORDER REMOVING THE
MEASURING DEVICE REQUIREMENT

WHEREAS, on October 19, 1973, Boyd O. Wallace filed with the Department of Water Resources an application for permit to appropriate 1.20 cubic feet per second of water from the Kootenai River, to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 62N, Rge. 2E, B.M., Boundary County, to be used for irrigation purposes; and,

WHEREAS, on November 28, 1973, the Department approved said application and issued Permit No. 98-7097 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1978, and a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on January 31, 1978, the permit holder assigned this permit to Kenneth N. and/or Karen N. MacDonald and they requested that the measuring device requirement be removed from this permit; and,

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

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 98-7097.

Dated this 13 day of February, 1978.


BOBBY D. FLEENOR
Chief, Operations Bureau

MICROFILMED

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

Received 845
Jan. 31, 1978 750
jo

I, Boyd O. Wallace, hereby assign to Kenneth N. &/or Karen N. MacDonald
of Route 3, Box 160, Bonners Ferry, Idaho 83805
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 98-7097
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 27th day of January, 19 78.

Boyd Wallace
Permit Holder

Nadine Wallace
Spouse of Permit Holder

State of Idaho)
County of Boundary) ss.

On this 27th day of Jan., 19 78, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

seal

[Signature]
Notary Public residing at
Bonners Ferry

My commission expires:

Life

MICROFILMED

Identification No. 98-7097

Application No. _____

ASSIGNED TO: KENNETH & KAREN MACDONALD
1-31-1978

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Boyd O Wallace
post office address RR 1 Box 193 Bonners Ferry IDAHO
2. Source of water supply Kootenai River which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 62N
Range 2E B.M. Boundary. County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Kootenai River at a point in SW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 19 Township 62N Range 2E B.M. Boundary.
4. Water will be used for the following purposes:
Amount 1.2 for irrigation purpose from June 15 to Sept. 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. 1.2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, pipeline, sprinkler
heads.

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 \$ 8000.00.
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: _____

98 7097

B 35

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

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	19														20	40		60

Total number of acres to be irrigated 60

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

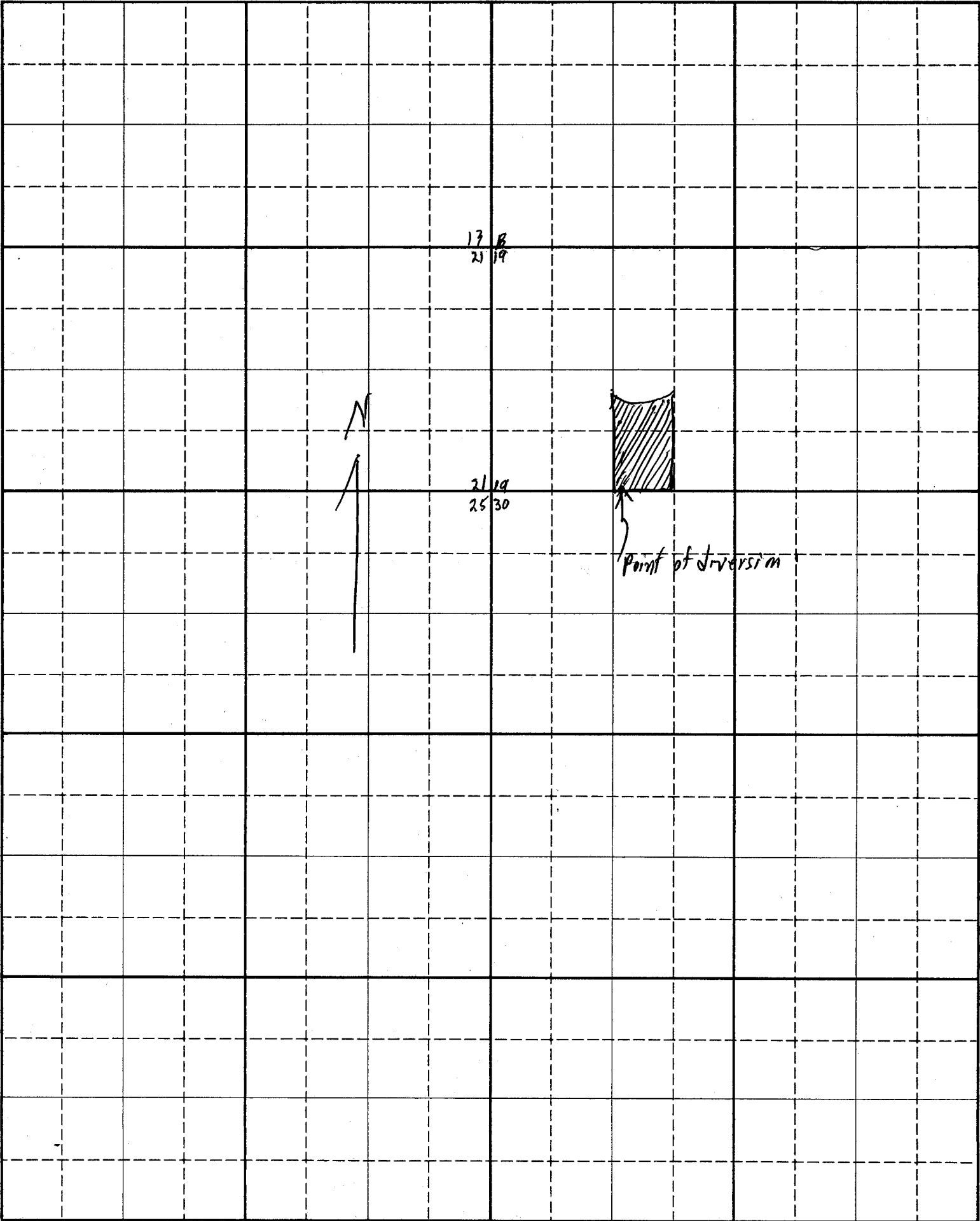
9. a. Who owns the property at the point of diversion Applicant.

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 Boyd O Wallace
(Applicant)

Proposed Priority 10-19-1973

98 7097

Received by CP Date 10-23-73 Time 1:00 P
10-19-73 Time 10:30 A

Preliminary check by BDF Fee \$ 35.00

Receipted by CP Date 10-19-73 Rut # 12536

Publication prepared by CP Date 10-26-73

Published in Bonnors Ferry Herald

Publication dates 11-1 & 11-8-73

Publication approved CP Date 11-13-73

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by BDF

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. 98-7097, 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 78.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 28th day of November 19 73.

L. Karl Higgs
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>BDF</u>	<u>10/19/73</u>	Application No. <u>98-7097</u>
(2)			☒ 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
(3)	<u>BDF</u>	<u>10/19/73</u>	In form to receipt Send Copies to: ____ Idaho State Health Department ____ Idaho Fish and Game Department ____ Bureau of Land Management
(4)			____ Request Special Use Permit from U.S.F.S. ____ Request Easement from B.L.M. ____ Request Information from Applicant
(5)	<u>EB</u>	<u>10/23/73</u>	In form for advertising
(6)			Located within Water District No. _____
(7)			Critical groundwater area: yes _____ no _____
(8)			Groundwater levels: ____ Decline (comment) _____ ____ Stable (comment) _____ ____ Increasing (comment) _____
(9)			Comments: _____ _____
(10)	<u>CL</u>	<u>11-13-73</u>	Affidavit of Publication received (date) <u>NOVEMBER 13, 1973</u>
(11)	<u>CL</u>	<u>10-26-73</u>	Final date for protests <u>NOVEMBER 19, 1973</u> Protests received: yes _____ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____ _____
(13)	<u>EB</u>	<u>11/19/73</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>EB</u>	<u>11/19/73</u>	Action recommended: ☒ Approve Priority <u>10/19/73</u> ____ Deny Reason for Reduction _____ ☒ Measuring device required ____ See attached sheet for additional conditions of approval ____ No additional conditions for approval
(15)	District <u>North</u>	By <u>Paul E. Smith</u>	Date <u>11/19/73</u>

98 7097

AFFIDAVIT OF PUBLICATION

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NOV 18 1973

STATE OF IDAHO }
County of Boundary } ss.

William 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 Department of Water Administration

a Notice of Application for water permit Boyd Wallace
No. 98-7097

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. 1, 1973, and ending with the issue dated Nov. 8, 1973

Lucas M. Haglan, bookkeeper

Subscribed and sworn to before me this 9 day of Nov., 1973

James E. Doeherty

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

NOTARY PUBLIC for the State of Idaho
Residing at Bonners Ferry, Idaho
MY commission expires February

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Boyd O. Wallace, R. R. No. 1, Box 193, Bonners Ferry, Idaho has on October 19, 1973 submitted Application No. 98-7097 for a permit to appropriate 1.2 cubic feet per second of water from Kootenai River by means of pump, pipeline, and sprinklers within the SW 1/4 SE 1/4, Sec. 19, T. 62N, R. 2E, B.M., Boundary County to be used from June 15 to Sept. 15 for the irrigation of 60 acres within the W 1/2 SE 1/4, Sec. 19, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before November 19, 1973.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Nov. 1 and Nov. 8, 1973-idwa

98 7097



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

98-7097

November 20, 1980

E & V Copp
Star Rt 3 Box 336
Bonners Ferry, ID. 83805

Dear Ms. Copp,

Permit #98-7097 has been licensed by this department. A copy of the license will be mailed to: Boyd O. Wallace, RT 1, Box 191, Bonners Ferry. If you desire a copy of this license, you may write to : Idaho Dept. of Water Resources State House, Boise, ID. 83720.

There is no method of changing the names on a license, but a notarized assignment would prove ownership. To receive any further correspondence that may concern the license, you should supply this department with a copy of the assignment.

Sincerely,

Tom D. King
Sr. Water Resource Agent

MICROFILMED

RECEIVED

NOV 18 1980

Nov. 15, 1980
E. & V. Cope
Star Rte # 3
Box 336
Bonners Ferry,
Idaho 83805

Department of Water Resources
Northern District Office
Left Resource

4055 Government Way
Coeur d'Alene, Idaho 83814

To Whom It May Concern,

We have bought property
in Bonners Ferry. We have
the notarized assignment of
permit # 98-7097 of public
waters of the State of Idaho.

How do we go about getting
the permit in our name?
If there is a form to fill out
would you send it with the
appropriate instructions? Thank
you.

Sincerely
Virginia Cope

MICROFILMED



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

December 23, 1980

Kenneth & Karen MacDonald
Route 3, Box 160
Bonners Ferry, Idaho 83805

Dear Mr. & Mrs. MacDonald,

RE: License No. 98-7097

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED



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

October 31, 1980

Kenneth & Karen MacDonald
Route 3, Box 160
Bonners Ferry, Idaho 83805

Dear Mr. & Mrs. MacDonald,

A representative of this Department has made an examination of the works covered by your Permit No. 98-7097, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.02 cfs Source: Kootenai River

The maximum quantity diverted shall not exceed 180 acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 19, Twp. 62N, Rge. 2E, B.M.

Beneficial use: Irrigation of 60 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19,
Twp. 62N, Rge. 2E.

Priority date established: October 19, 1973.

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 JOHNSON
Water Rights Supervisor

RECORDED

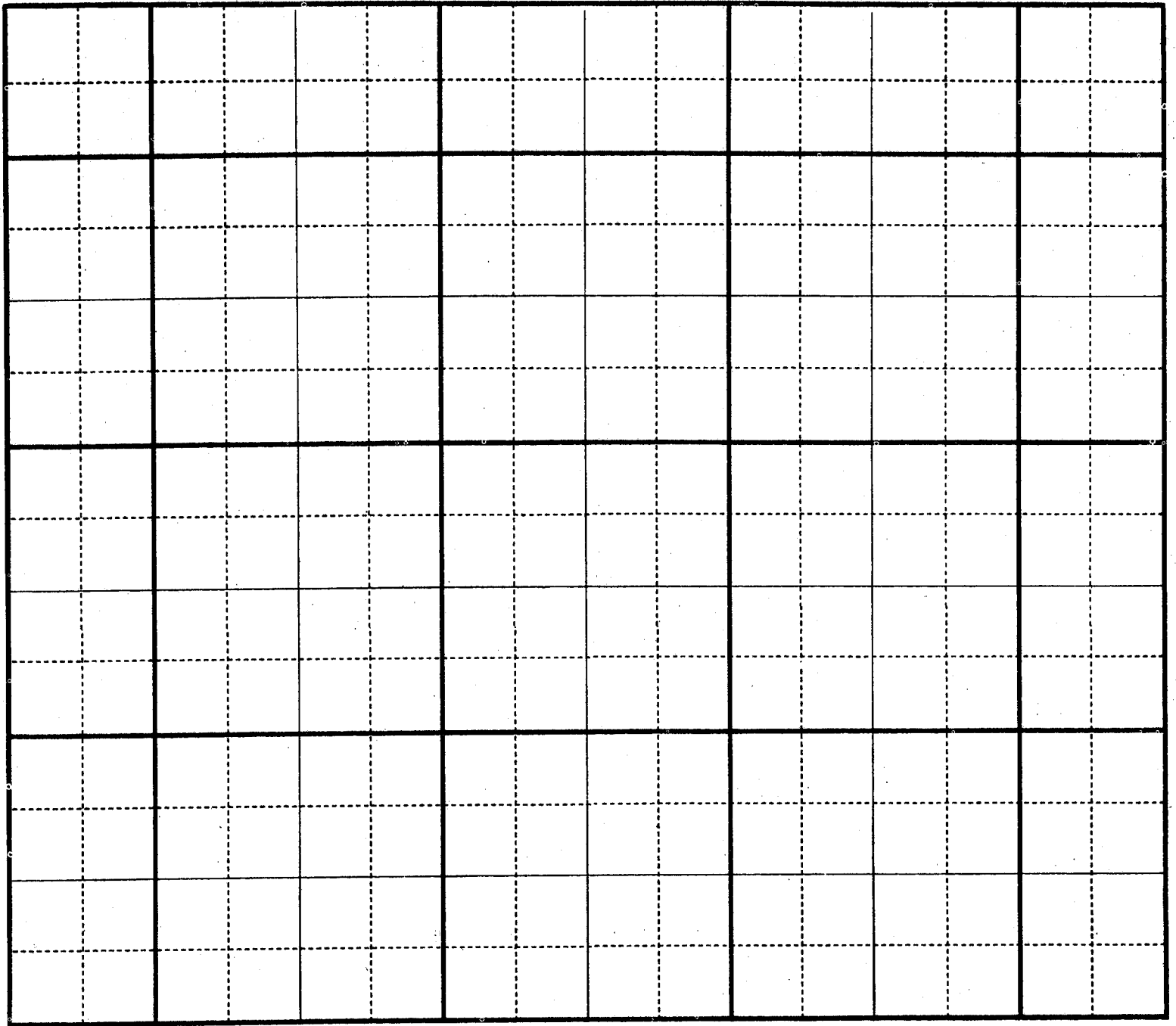


Diagram of System

Marathon ~~EE~~
mod EE 256 TB PR 7005 AAW
20 HP
Cornell pump M 2 1/2" W 20-3
RB 30 w/ 3 1/16
70

DATE OF EXAM 8/21/78

ACREAGE
Found 60
Recommended 60

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q= 1.02 c.f.s. V= 180 AF/Ann. from 5/1 to 9/15
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 1.02 cfs Method of measurement pressure gauge

Total Q recommended 1.02 cfs Meter No. ~ Type ~ Condition ~

Total V recommended 180 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

54 RB 30 WS @ 70 psi = 8.48(64) = 457.92 ÷ 4488 = 1.02 cfs
60 acres (3.0 AF/Acre/Ann) = 180 AF/Ann

SYSTEM DESCRIPTION:

20hp motor
Marathon Electric Pump Mod # EE 2527 BDR 7003 AAW. with
Cornell pump Mod # 2 1/2 W 20-2 with pipe line to 54 RB
30 WS @ 70 psi.

REMARKS:

Contacted Son.

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

Checked by _____ Date _____

Approved by Jim Date 12/16/80

February 13, 1978

Re: Permit No. 98-7097

Kenneth N. &/or Karen N. MacDonald
Route 3, Box 160
Bonners Ferry, Idaho 83805

Dear Mr. & Mrs. MacDonald:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Enclosed is an Order which removes the measuring device requirement from this 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 exam so you can 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

Encl.

RECEIVED
FEB 15 1978
WATER RIGHTS
DIVISION

January 6, 1978

JAN 12 1978

File

Please be advised that on February 4, 1976, Kenneth N. MacDonald and Karen N. MacDonald holder of water permit # 98-7097 entered into Real Estate Mortgage with USA EmHA and agreed that they will not assign or amend the permit without the consent of EmHA.

Sincerely,
Dwight Ferguson
Dwight Ferguson
County Supervisor

*Farmers Home Administration is an Equal Opportunity Lender.
Complaints of discrimination based on race, sex, religion,
national origin or marital status should be sent to:
Secretary of Agriculture, Washington, D. C. 20250*

August 24, 1977

Re: Permit No. 98-7097

Kenneth N. &/or Karen N. Mac Donald
Route 3, Box 160
Bonners Ferry, Idaho 83805

Dear Mr. & Mrs. Mac Donald:

We acknowledge receipt of the affidavit submitted as proof of beneficial use on the above referenced permit.

We cannot, however, process this affidavit at this time as it is in the name of Boyd O. Wallace. Mr. Wallace must assign this permit to you in order for the Department to accept the proof affidavit with your signature on it. Otherwise, Mr. Wallace will have to sign the proof affidavit. Enclosed is an assignment of permit form for your use.

We also note that you mention changing the time of use for this water. Enclosed is an amendment form for that purpose. There is a \$10.00 filing fee for the amendment.

You also request that the measuring device requirement be removed from this permit. At the time we received the assignment we will consider this request.

If you have any questions regarding these matters, please do not hesitate to contact us. We will hold the proof affidavit in our files.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF:JFR

Encls.

MICROFILMED

RECEIVED
JUL 28 1977
Department of Water Resources
Northern District Office

Identification No. _____

Permit No. _____

RECEIVED
AUG 12 1977

Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Kenneth N. & Karen N Mac Donald
b) Post Office Address Rt 3 Box 160 Bonners Ferry ID 83805
2. Permit Number 98-7097
3. Date of Priority that you are prepared to establish 10-19-73
4. a) Source from which water was appropriated Kootenai River
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 19
Township 62N, Range 2E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied: May 1 to Sept 15
amount .75 cfs for Irrigation purposes from June 15 to Sept 15 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 .75 cfs 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: Pump Design
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: NA
b) Describe the agreement or understanding by which you take water from the works: NA
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) 20hp pump and sprinkler
b) Describe the type and size of measuring device which you have installed at your point of diversion: Request measuring device requirement be removed
c) Give well drillers name and address and date the well was completed NA

MICROFILMED

Exam typed 2/2/78

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

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

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	
~~62N~~	2E	19														20	40		60

10. Remarks: Season should be lengthened to May 1 - Sept 15 Total number of acres irrigated 60

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

8-11-77 (Date) Kenneth W. McDonald Jean McDonald (Signature)

State of Idaho)
County of Bannock) ss.

On this 11 day of August, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Blanche A. Stender
Notary Public residing at Brown Ferry

My commission expires Life

December 5, 1973

Re: Permit No. 98-7097

Boyd O. Wallace
Route 1, Box 193
Bonners Ferry, Idaho 83805

Dear Mr. Wallace:

Enclosed is a copy of your approved Application for Permit No. 98-7097. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

98 7097

STATEMENT

BONNERS FERRY HERALD

Complete Newspaper Coverage of Boundary County

P. O. Box 539

BONNERS FERRY, IDAHO — 83805

Idaho Department of Water Administration
401 Front Ave.
Coeur d'Alene, Idaho 83814

1973

Nov. 1 Notice of Application -#98-7079
29 lines 2 times (Wallace) \$ 11.31

98 7097

October 26, 1973

Re: Application No. 98-7097 - Boyd O. Wallace

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

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just
and correct, that the amount claimed is legally due,
after allowing all just credits, and that no part of
the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 11-13-73 by CP

FE:CP

98 7097

Enc: Legal Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Boyd O. Wallace,
R.R. #1, Box 193, Bonners Ferry, Idaho
has on October 19, 1973 submitted Application No. 98-7097
for a permit to appropriate 1.2 cubic feet per second ~~acres feet per annum~~
of water from Kootenai River
by means of pump, pipeline, and sprinklers
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 62N, R. 2E, B.M., Boundary County
to be used from June 15 to Sept. 15
for the irrigation of 60 acres
within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before November 19, 1973.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho
on Nov. 1 and Nov. 8, 1973

98 7097

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Boyd O. Wallace, R. R. No. 1, Box 193, Bonners Ferry, Idaho has on October 19, 1973 submitted Application No. 98-7097 for a permit to appropriate 1.2 cubic feet per second of water from Kootenai River by means of pump, pipeline, and sprinklers within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 62N, R. 2E, B.M., Boundary County to be used from June 15 to Sept. 15 for the irrigation of 60 acres within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before November 19, 1973.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Nov. 1 and Nov. 8, 1973-idwa

O.K.
11-1-73
CP

98 7097

October 26, 1973

Re: Application for Permit No. 98-7097

Boyd O. Wallace
R.R. #1, Box 193
Bonners Ferry, ID 83805

Dear Mr. Wallace:

Attached is your receipt No. 12536 in the amount of \$35 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

Enclosure

98 7097