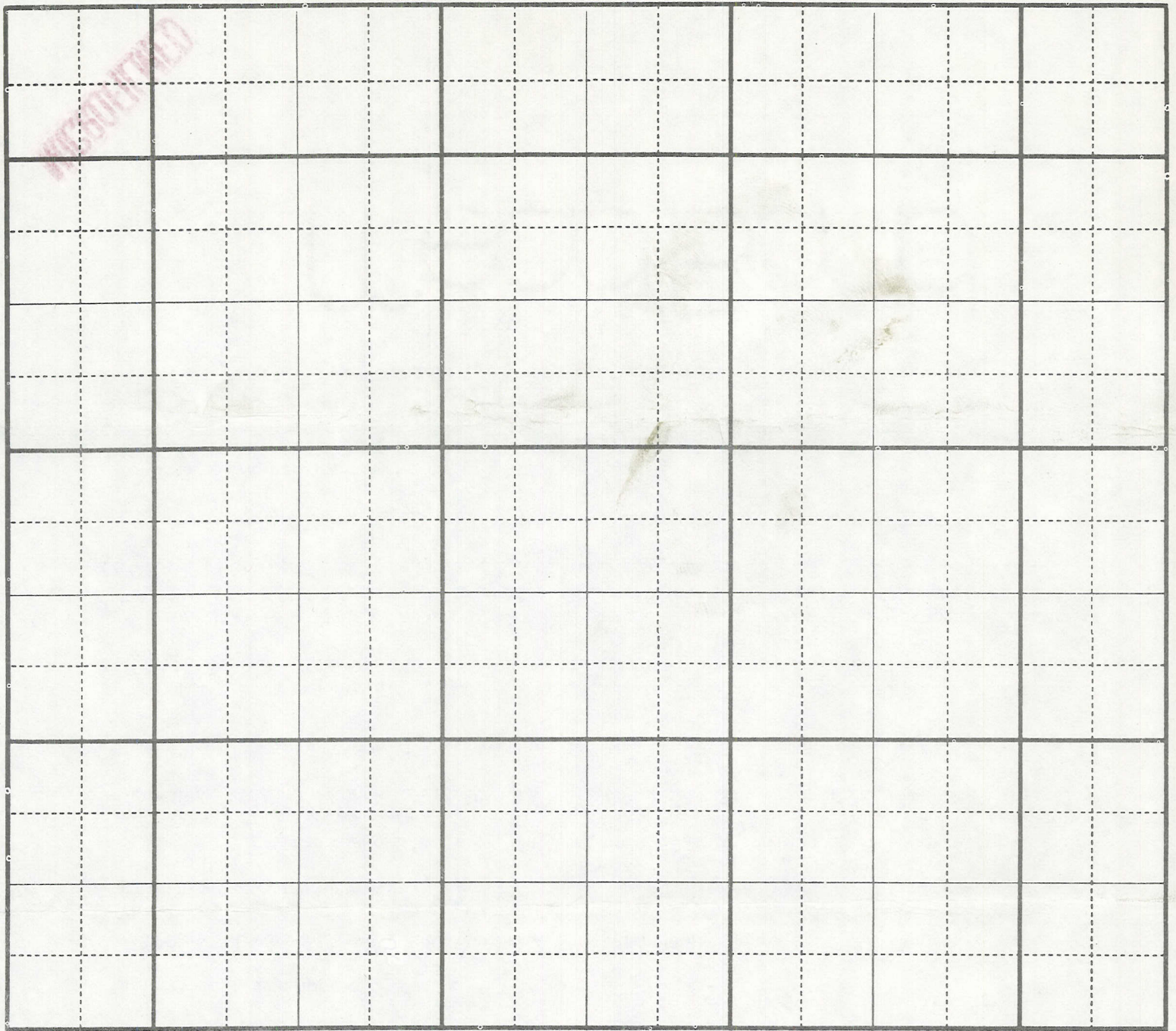
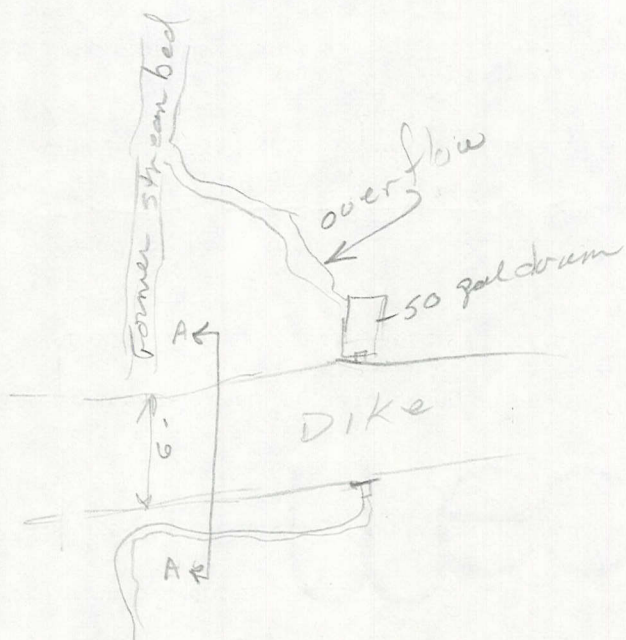




May 30, 79 Unnamed, spring fed, stream with 6" PVC in bed
directing to 5 gal drum

Diagram of System



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7089 Priority September 4, 1973 Amount 0.01 cfs

THIS IS TO CERTIFY, that FRANK W. KUNTZ
of Bonnors Ferry, Idaho, has complied with the terms and conditions of Permit
No. 98-7089 issued pursuant to Application for Permit dated September 4, 1973,
and has submitted proof to the Department of Water Resources on August 21, 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 0.01 cfs of water from an unnamed spring,
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>Stockwater (12 head)</u>	<u>from January 1 to December 31</u>	<u>at 0.01 cfs and</u>	<u>0.4 acre feet</u>
	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	<u>_____</u>
	<u>from _____ to _____</u>	<u>at _____ cfs and</u>	<u>_____</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.01 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.4 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, Twp. 62N,
Rge. 1E, 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	1E	24					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 30 day of
April, 19 80.

MICROFILMED

Director

98
Identification No. 98-7089

Application No. _____

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 Frank W. Kuntz
post office address Route #1, Box 198, Bonners Ferry, Idaho 83805
2. Source of water supply Unnamed Spring which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 13 Township 62N
Range 1E B.M. Boundary County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for Irrigation purpose from April 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.01 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.05 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 900 feet of 2" pipe and 42" X 7'
casing at spring.

- 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 \$ 3,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 62N
Range 1E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 12 Cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

98 7089

98 7089

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
62N	1E	24						2											2

Total number of acres to be irrigated 2

c. Describe any other water rights used for the same purposes as described above.

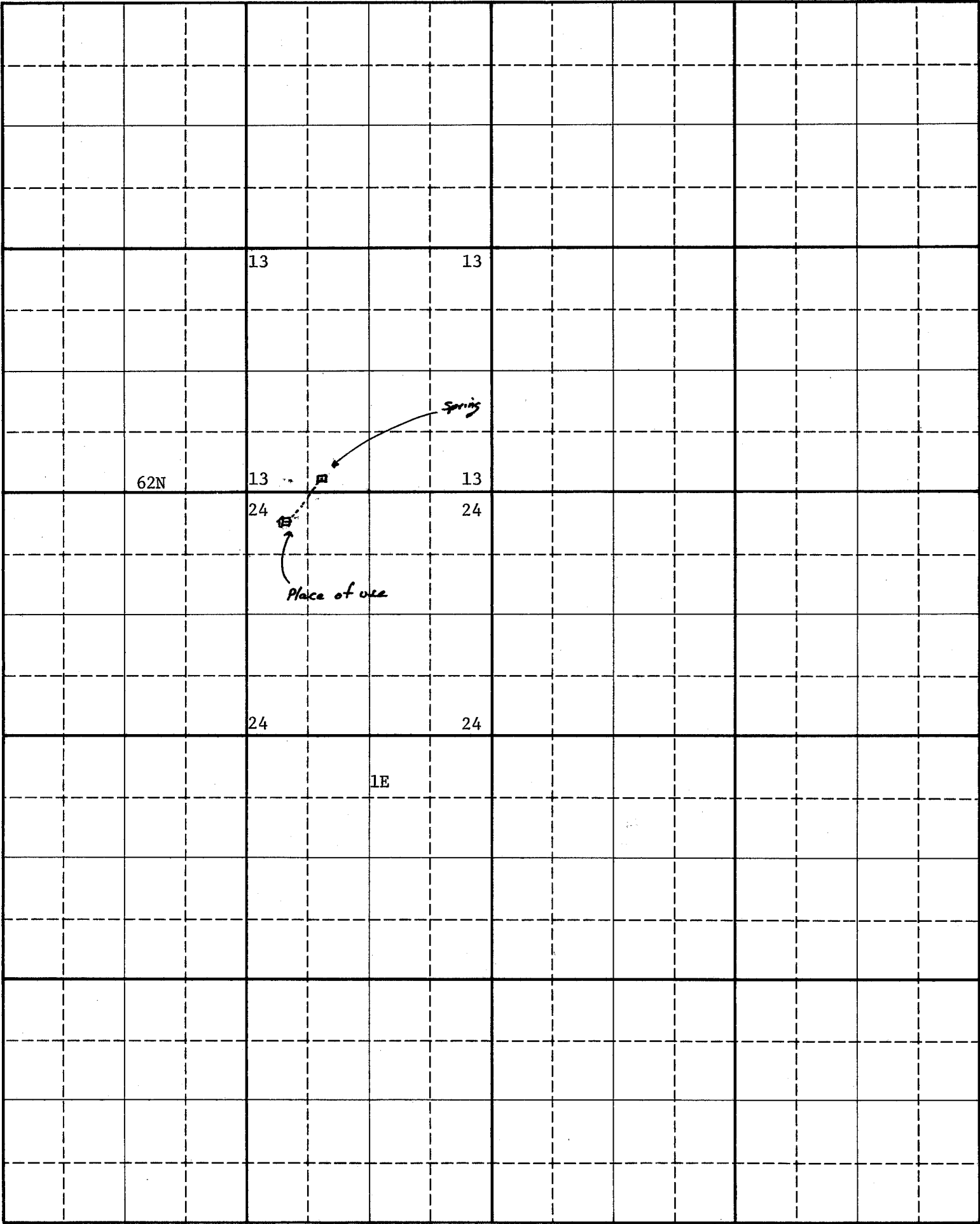
9. a. Who owns the property at the point of diversion Applicant

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.

Frank W. Kunt
(Applicant)

98 7089

Proposed Priority 9-4-1973

98 7089

Received by CP Date 9-4-73 Time 1:00P
Preliminary check by FE Fee \$ 1200 & 11920
Received by FE Date 9-4-73
Publication prepared by CP Date 9-7-73
Published in BONNERS FERRY HERALD
Publication dates 9-13 & 9-20-73
Publication approved CP Date 9-25-73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by W JSS

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. 98-7089, 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 October 1, 19 78.
- c. Other: _____

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

Witness my hand this 10th day of October 19 73.

R. Keith Higgins
Director

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

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

1. Name of applicant Frank W. Kuntz
post office address Rt #1 - Box #198, Bonners Ferry, Ida. 83805
2. Source of water supply Spring which is a tributary of None
3. a. Location of point of diversion is SE-SW $\frac{1}{4}$ of S. 1/4 $\frac{1}{4}$ of Section 13 Township 62
Range 1E B.M. Boundary County; additional points of diversion if any: None
- b. If water is not consumed, it will be discharged into Large Garden at a point in N. W $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 62N Range 1-E B.M. _____
4. Water will be used for the following purposes:
Amount 4 gals. Per minute for Irrigation & water control purpose from 4-1st to 16-1st (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. _____ cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 900 ft. of 2" P.P., & 42" X 7' casing at Spring.
- b. Height of storage dam X feet, active reservoir capacity Future acre feet; total reservoir capacity X acre feet, materials used in storage dam: X
Period of year during which storage will occur X to X inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is X inches; proposed depth of well is X feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ 3000.00.
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 7089

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	1-E	24					✓	✓											

Total number of acres to be irrigated about 2 acres

c. Describe any other water rights used for the same purposes as described above. Water Cattle, and
Perhaps for domestic use some time in the future,

9. a. Who owns the property at the point of diversion F.W. Kuntz
 b. Who owns the land to be irrigated or place of use F.W. Kuntz
 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 Area to be irrigated is adjacent to present home site and
irrigation will be use for a large garden and lawns as present
water supply from another spring located in sec. 24 not adequate for
much garden irrigation. also some livestock to be watered by this
new water supply.

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

Sec 13-62-1E

□ Spring

□ Point 1152

Sec 94-62-1E

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Frank W. Kuntz
(Applicant)

98 7089

98 7089

Received by CR Date 8-8-73 Time 1:00 P

Preliminary check by _____ Fee \$ NO FEES REC'D. 8-8-73 CR

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FE</u>	<u>9/4/73</u>	Application No. <u>98-7089</u> Name <u>Frank Kuntz</u>
(2)	<u>FE</u>	<u>9/4/73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			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.
(5)	<u>FE</u>	<u>9/4/73</u>	In form for advertising _____
(6)	<u>CP</u>	<u>9-25-73</u>	Affidavit of Publication received <u>SEPTEMBER 24, 1973</u>
(7)	<u>CP</u>	<u>9-10-73</u>	Final date for protests <u>OCTOBER 1, 1973</u> Protests received: yes _____ no <u>✓</u>
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)			Critical groundwater area: yes _____ no _____
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	<u>FE</u>	<u>10/1/73</u>	Action recommended: ☒ Approve Priority <u>9/4/73</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval <u>FE</u> <u>10/1/73</u> No conditions for approval
(14)	<u>FE</u>	<u>10/1/73</u>	District <u>Shoshone</u> By <u>Frank Kuntz</u> Date <u>10/1/73</u> Title <u>Teacher</u>

REC

98 7089

Department

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank W. Kuntz, Route No. 1, Box 198, Bonners Ferry, Idaho has on September 4, 1973 submitted Application No. 98-7089 for a permit to appropriate 0.05 cubic feet per second of water from an Unnamed Spring by means of pipeline within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 62N, R. 1E, B.M. Boundary County to be used from Jan. 1 to Dec. 31 for stockwatering (0.01 cfs) and domestic purposes (0.02 cfs); and from April 1 to Oct. 1 for the irrigation of two acres (0.02 cfs) within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 62N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, 83814 on or before October 1, 1973.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Sept. 13 and Sept. 20, 1973.

W. H. Chubb

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 Admn.

a Notice of Application/ Kuntz-98-7089

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 Sept. 13, 1973 ~~xxxx~~, and ending with the issue dated Sept. 20, 1973, ~~xxx~~.

Ruth M. Haglan, bookkeeper

Subscribed and sworn to before me this 21 day of Sept, 1973.

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

My commission expires Jan. 12, 1974

January 13, 1992

RE: Water Right License Nos. 98-7080 and 98-7212
Water Right Claim No. 98-4079

Michael L. Peterson
Elizabeth M. Peterson
HCR 85 Box 341
Bonners Ferry, ID 83805

Dear Water Right Holders:

We are in receipt of the correspondence concerning ownership of the above referenced water rights.

The former owners listed on the assignment, Howard and Darlene Harms, are not listed in our database as the owners of record. Also, the land description provided does not include 98-7212.

In Idaho, licensed or claimed water rights are considered real property; therefore, proof of owning the land is proof of owning the water rights unless specifically excluded in the sale. We have placed your correspondence in the files for future reference only.

If you have any questions, please let us know.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

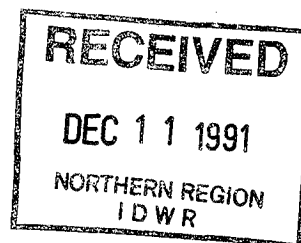
PS:blm

RECEIVED
FEB 12 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)



DATE OF CLOSING: 11-1-91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED (ONE) SHEET

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR:

98-7089, 98-7212, 98-4079



☐ Name and Address of Former
Owner/Claimant(s)(Seller):

HOWARD & DARLENE HARMS

Department of Water Resources

HCR 85 Box 341

BONNERS FERRY, ID 83805

☐ New Owner/Claimant
(Purchaser):

MICHAEL L. & ELIZABETH M. PETERSON

☐ New Mailing Address:

HCR 85 Box 341

BONNERS FERRY, ID 83805

☐ New Telephone Number:

(208) 267-3474

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Michael S. Peterson

Date 12-2-91

Elizabeth M. Peterson

Date 12-3-91

☐ Signature of Former
Owner/Claimant(s):

Howard Harms
Darlene Harms

Date 12-3-91

Date 12-3-91

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

FEB 12 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

FEB 12 1992

Section 24
TWP 62
Range 1E

RECEIVED

DEC 11 1991

NORTHERN REGION
IDWR

#153634

8-87 The Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 24, lying north of the county road (as it existed July 1, 1987) and south of the railroad right of way.

AND ALSO that part of the westerly nine and one-half (9 $\frac{1}{2}$) rods of the Northeast Quarter of the Northwest Quarter of Section 24, lying north of the county road as it existed July 1, 1987 and south of the railroad right of way.

Approx. 17.35 Acres

Howard Harms

Section 24
TWP 62
Range 1E

154512

10-87 A tract of land in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13 and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 24;

Beginning at a point on the south line of said Section 13 which is South 89° 48' 26" East, 864.62 feet from the southwest corner of the Section; thence North 28° 58' 06" East, 63.93 feet; thence South 89° 48' 26" East, 93.98 feet; thence South 08° 48' 18" West, 56.67 feet to the section line between said Sections 13 and 24; thence continuing into Section 24, South 08° 48' 18" West, 306.74 feet, to a spiral curve on the northerly right of way of the Union Pacific Railroad;

thence along said spiral curve to a chord bearing of North 50° 53' 55" West for a distance of 171.68 feet; thence on a circular curve to the left (Chord= North 55° 49' 34" West 38.80 feet) having a central angle of 02° 13' 24" with a radius of 999.94 feet for a distance of 38.80 feet; thence, leaving said right of way North 28° 58' 06" East, 198.25 feet, to the true point of beginning

Approx 1.000 acres

FEB 12 1992

Howard Harms



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 22, 1987

RE: Water Right Nos. 98-4079/7089/7212

Nystrom, Hanks & Cowley
c/o Frank A. Hanks
Box 48
Naples, ID 83847

Gentlemen:

We are in receipt of an Assignment of the above referenced water rights.

In my review of the files, I find that licenses have been issued on permit Nos. 98-7089 & 98-7212. Also, right 98-4079 is a claim to a water right and not a permit.

I have enclosed a copy of each right for your records. Since in Idaho a licensed right and a claim to a water right are considered real property, the water rights were acquired when the property was purchased unless the sale specifically excluded the rights.

I have changed the department records to show you as the current owners of the rights. If we can be of any further assistance, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

MICROFILMED

MAY 13 1987

RECEIVED

APR 13 1987

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources

I, FRANK W. KUNTZ, hereby assign to NYSTROM, HANKS AND COWLEY, co-partners, all my right, title and interest in and to Permit No. 98-7089; 98-7212; 98-4079 to appropriate the public waters of the State of Idaho.

Made this 13th day of March, 19 87.

STATE OF IDAHO } ss 0152640
County of Boundary

Filed for record, at the request of

Don Nystrom

Box 48, Naples, Idaho 83847

on the 3rd day of Apr. 19 87 at 9:25 o'clock A.M., and recorded in Book 62
of inst. on page 212

NORMA J. ESTEP
County Recorder

By K. Larson Deputy

Fee \$2.00

RECEIVED
INDEXED
FILMED
DELIVERED
MAILED

STATE OF IDAHO)

County of)

ss.

On this 13th day of March, 19 87, personally appeared before me the signers of the above instrument, who duly acknowledged to me that they executed the same.

Notary Public residing at: Gila Bend, Az
My Commission Expires Oct 31, 1987

NOTE: NYSTROM, HANKS AND COWLEY is a co-partnership consisting of Donald O. Nystrom and Nadine L. Nystrom, husband and wife; Tom Roy Cowley and Virginia R. Cowley, husband and wife; and Frank A. Hanks and Kathleen Hanks, husband and wife, whose address is P.O. Box 48, Naples, ID 83847

RECEIVED

MAY 13 1987



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

May 7, 1980

Frank W. Kuntz
Star Rt. 3, Box 170
Bonners Ferry, Idaho 83805

Dear Mr. Kuntz,

RE: License No. 98-7089

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

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

April 10, 1980

Frank W. Kuntz
Star Rt. 3 Box 170
Bonners Ferry, Idaho 83805

Dear Mr. Kuntz,

A representative of this Department has made an examination of the works covered by your Permit No. 98-7089, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.01 cfs Source: an unnamed spring

The maximum quantity diverted shall not exceed 0.4 acre feet
per year.

Point(s) of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, Twp. 62N, Rge. 1E, B.M.

Beneficial use: Stockwater use for 12 head within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24,
Twp. 62N, Rge. 1E.

Priority date established: September 4, 1973

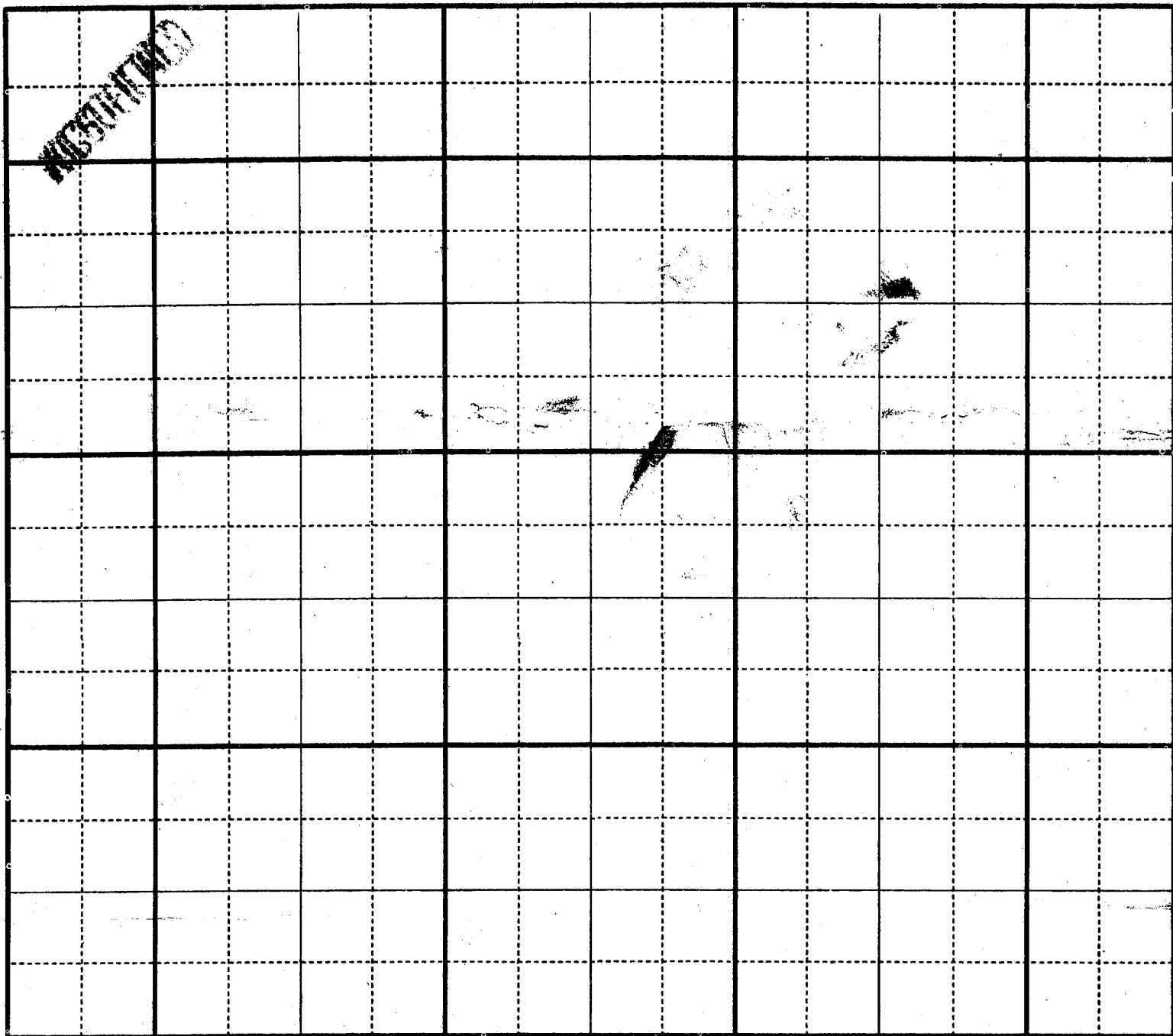
Conditions (if any):

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,

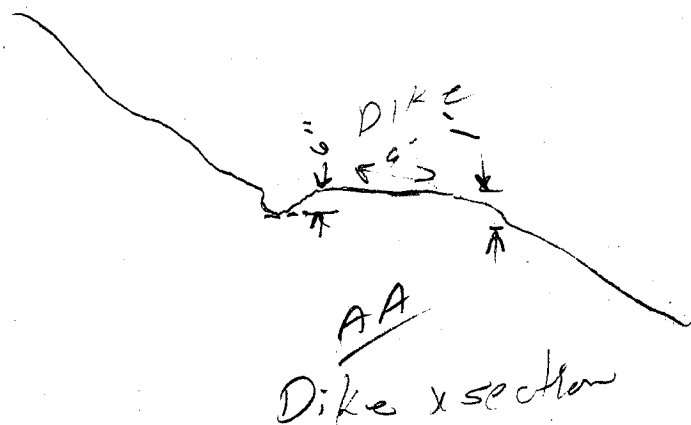
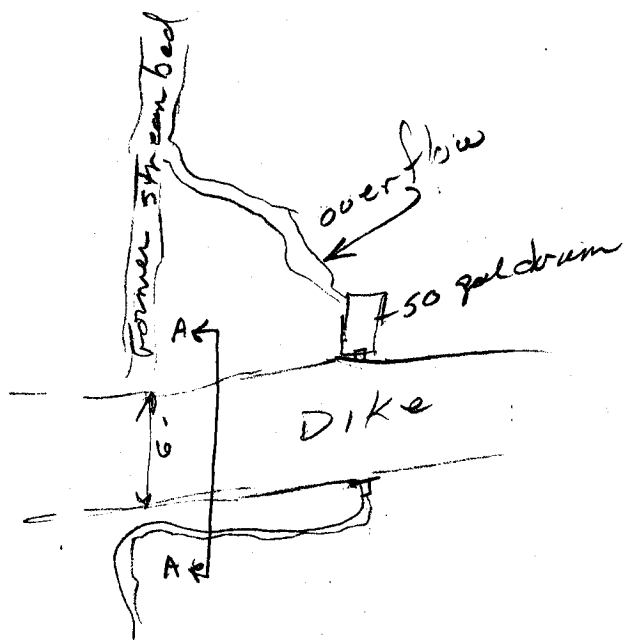
JAN GROVER
Water Rights Supervisor

MICROFILMED



May 30, 79 unnamed, spring fed, stream with 6" PVC in bed
 directing to 5 gal drum

Diagram of System



DATE OF EXAM 5-30-79

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = 0 c.f.s. V = 0 AF/Ann. from _____ to _____
Domestic Q = 0 c.f.s. V = 0 AF/Ann. from _____ to _____
Livestock Q = 0.01 c.f.s. V = 25hd AF/Ann. from for 1 to 25hd31

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 _____ Method of measurement Est.

Total Q recommended 0.01 Meter No. _____ Type _____ Condition _____

Total V recommended 0.4

Recommended Amendments:

P.D. _____
Place of Use _____
Other No irrigation or domestic.
None _____

MEASUREMENT CALCULATION: <

25hd stock 0.01 cfs 0.4 AF/Ann

SYSTEM DESCRIPTION:

6" PVC in stream diverting to stock tank.

REMARKS:

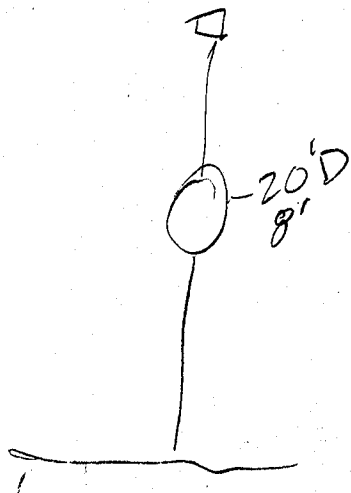
Stream has been diked to 6" PVC pipe leading to 1/2
horizontal 50 gal drum.

Stream is formed by a spring the stream flows down the
hill & disappears back into the ground

Examiner's Signature [Signature] Date 5/30/79

Checked by Bob Haynes Date 7-5-79

Approved by _____ Date _____





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

October 6, 1978

Frank W. Kuntz
Star Route 3, Box 170
Bonners Ferry, ID 83805

Dear Mr. Kuntz:

Re: Permit No. 98-7089

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,

RITA FLECK
Water Rights

MICROFILMED

Identification No.

Permit No. 98-7089

RECEIVED

AUG 21 1978

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Water Resources

1. a) Name of Permit Holder Frank W. Kuntz
 b) Post Office Address Star Rt #3-Box #170 Bonners Ferry, Ida. 83805
 2. Permit Number 987089
 3. Date of Priority that you are prepared to establish Oct. 1-1978
 4. a) Source from which water was appropriated Small Creek fed by a Spring
 b) Location of the point of diversion: NE. 1/4 of SW 1/4, Section 13-62N-1E.
 Township 62N, Range 1E Boise Meridian, Other points of diversion: None

5. a) The amount of water and use to which the water has been applied:
 Amount 0.13-cfs for flow purposes from Continuous incl.
 (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
 Amount 0.01 cfs for 25 head cattle purposes from April 1 to Nov 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)
 b) Total amount appropriated To water 25 head cattle 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: Bureau Soil Conservation Service

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:
No Diversion is made on my Property.

- b) Describe the agreement or understanding by which you take water from the works: No agreement, the small stream has been flowing in this isolated canyon from land owned by Stanley Sweet on across my property and never used until I fenced in my land for pasture in 1974.

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) Small earth fill dam installed across the small natural stream bed. An 8" pipe is installed through the two foot high dam and the pipe feeds directly into a 30 gallon metal barrel from which the cattle drink.

- b) Describe the type and size of measuring device which you have installed at your point of diversion:

No measuring device - Using a 50 gal. barrel cut in half as a watering trough for up to 25 head of cattle

- c) Give well driller's name and address and the date the well was completed:

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

Water is used to water up to 25 head of cattle - No irrigation

MICROFILMED

Exam typed

10/20/78 by [Signature]

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

None

T5	R	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	

Total number of acres irrigated None

10. Remarks: _____

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

Aug. 18, 1978
(Date)

Frank W. Kunt
(Signature)

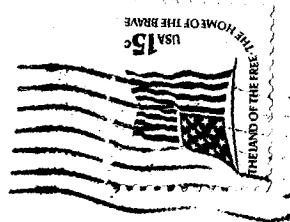
State of Idaho)
County of Boundary) ss.

On this 18th day of August, 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.

Bennet
Notary Public residing at Payson Ferry
Idaho Boundary Co.

My commission expires 10-06-80

Mr. & Mrs. F. W. Kuntz
Star Route 3, Box 170
Bonners Ferry, ID 83805



State of Idaho.
Dept. of Water Resources

Boise,

Idaho 83720

MICROFILMED



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

CERTIFIED MAIL

100062

July 31, 1978

Re: Permit No. 98-7089

Frank W. Kuntz
Route 1, Box 198
Bonners Ferry, ID 83805

Dear Mr. Kuntz:

One of the conditions of approval of your water Permit No. 98-7089 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 1, 1978. Enclosed is an affidavit form which must 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 affidavit 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.


RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED

October 11, 1973

Re: Permit No. 98-7089

Frank W. Kuntz
Route 1, Box 198
Bonners Ferry, Idaho 83805

Dear Mr. Kuntz:

Enclosed is a copy of your approved Application for Permit No. 98-7089 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosure

98 7089

September 7, 1973

Re: Application No. 98-7089 Frank W. Kuntz
"Claim " 98-4026 - Elene V. Rock

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 9-25-73 by CP

FE:CP

Enc: Legal Notices (2)

98 7089

STATEMENT

BONNERS FERRY HERALD

Complete Newspaper Coverage of Boundary County

P. O. Box 539

BONNERS FERRY, IDAHO — 83805

RECEIVED

Idaho Department of Water Admin.

401 Front Ave.

Coeur d'Alene, Idaho 83814

Idaho Department of Water Administration
Coeur d'Alene, Idaho 83814

1973

Sept. 13 Notice of Application, Kuntz, #98-
7089-31 lines 2 times

\$ 12.09

98 7089

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank W. Kuntz,
Route #1, Box 198, Bonners Ferry, Idaho

has on September 4, 1973 submitted Application No. 98-7089
for a permit to appropriate 0.05 cubic feet per second xxxxxxxxxxxxxxxxxxxx
of water from an Unnamed Spring
by means of pipeline
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 62N, R. 1E, B.M., Boundary County

to be used from Jan. 1 to Dec. 31 for stockwatering (0.01 cfs) and domestic
xxxx purposes (0.02 cfs); and from April 1 to Oct. 1 for the irrigation of
for two acres (0.02 cfs)

within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 62N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before
October 1, 1973.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho
on Sept. 13 and Sept. 20, 1973

98 7089

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Frank W. Kuntz, Route No. 1, Box 198, Bonners Ferry, Idaho has on September 4, 1973 submitted Application No. 98-7089 for a permit to appropriate 0.05 cubic feet per second of water from an Unnamed Spring by means of pipeline within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 62N, R. 1E, B.M. Boundary County to be used from Jan. 1 to Dec. 31 for stockwatering (0.01 cfs) and domestic purposes (0.02 cfs); and from April 1 to Oct. 1 for the irrigation of two acres (0.02 cfs) within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T. 62N, R. 1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, 83814 on or before October 1, 1973.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Sept. 13 and Sept. 20, 1973.

98 7089

2. K.
9-13-73
CP

September 7, 1973

Re: Application for Permit No. 98-7089

Frank W. Kuntz
Route #1, Box 198
Bonners Ferry, ID 83805

Dear Mr. Kuntz:

Attached is your receipt No. 11920 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

Enclosure

98 7089

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

August 14, 1973

Frank W. Kuntz
Route #1, Box 198
Bonners Ferry, ID 83805

Dear Mr. Kuntz:

Enclosed is a typed application which we have completed using the information you submitted.

Please complete Item 8a(3), and if all other items are in order, sign at the bottom of Page 3 and return the application to our office along with the required \$10 fee.

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

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

Enclosure

98 7089

RECEIVED

JUL 25 1973

Department of Water Administration
Northern District Office

Bonners Ferry, Ida 83805
Rt #1 Box #198
July, 23-73

Dep. of Reclamation
State House.
Boise Ida.

RECEIVED

JUL 24 1973

Department of Water Administration

Dear Sir:

This is to advise you that I would
like to develop a spring on my property
located (springs location) $S^2 SW^4$ Sec 13-62-1E.
to supplement my present water supply.
The water from the spring to be piped
approx. 800' to my home (farm) located in
 $SW^4 - NW^4$ Sec 24-62-1E.

Sincerely

F. W. Kunt
98 7089

APPLICATION & INSTRUC. SENT 7-30-73. cr