

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb

being first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of State Department of Water Administration

a Notice of Application for water permit-No 98-7045,

W.H. Davis

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. 7, 1971, ~~196~~, and ending with the

issue dated Oct. 14, 1971, ~~196~~.

Subscribed and sworn to before me this 20 day of Oct, 1971.

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

98 7045

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayland H. Davis, Deep Creek Motel, Bonners Ferry, Idaho has on September 13, 1971 submitted Application No. 98-7045 for a permit to appropriate 0.08 cubic feet per second of water from a spring, tributary of Deep Creek by means of spring development, pump and pipeline within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19, T. 61N, R. 1E, B.M., Boundary County to be used from Jan. 1 to Dec. 31 for do-

mestic purposes for 16 families within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19 T. 61N, 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, Statehouse, Boise, Idaho, 83707, on or before October 25, 1971.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Oct. 7 and Oct. 14, 1971.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7045 Priority Sept. 13, 1971 Amount 0.08 cfs

THIS IS TO CERTIFY, that CHAPMAN B. LEEK
of Bonnars Ferry, Idaho, has complied with the terms and conditions of Permit
No. 98-7045 issued pursuant to Application for Permit dated September 13, 1971,
and has submitted proof to the Department of Water Resources on November 1, 1976,
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 0.08 cfs of water from an unnamed spring,
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>Jan. 1</u> to <u>Dec. 31</u> at <u>0.08</u> cfs and <u>9.6</u> acre feet			
from _____ to _____ at _____ cfs and _____			
from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 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
9.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 19,
Twp. 61 N, Rge. 1 E, B. M. in the County of Boundary

Description and location of place of use: (16 unit trailer court)

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 $\frac{1}{4}$	
61 N	1 E	19									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 11 day of
December, 19 76.

Director

State of Idaho

Department of Water Administration

RECEIVED

SEP 9 1975

ASSIGNMENT OF PERMIT

I, Wayland H. Davis, hereby assign to Chapman B. Lark
of Deep Creek Resort, Boundary Ferry, Idaho,
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 98-7045
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 list-
ing 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 August, 19 75.

Wayland H. Davis
Permit Holder

Mrs. Boris Mae Davis
Spouse of Permit Holder

State of Idaho)
County of Boundary) ss.

On this 29th day of August, 19 75, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at

Boundary Ferry

My commission expires: 1-21-78

OK 30
2/15/75

ASSIGNED TO: Chapman B. Leek
9-09-1975 Deep Creek Resort
Bonners Ferry, ID 83805

Identification No. 98-7045
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 WAYLAND H. DAVIS
post office address DEEP CREEK MOTEL, BONNERS FERRY, IDAHO, 83805
2. Source of water supply SPRING which is a tributary of DEEP CREEK
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 19 Township 61N
Range 1E B.M. BOUNDARY County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into DEEP CREEK at a point in NW $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 19 Township 61N Range 1E B.M. BOUNDARY
4. Water will be used for the following purposes:
Amount .08 for DOMESTIC purpose from JAN. 1 to DEC. 31 (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. .08 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. SPRING DEVELOPMENT --PUMP-PIPELINE

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 \$1,000.00.
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 SW $\frac{1}{4}$ of Section 19 Township 61 N
Range 1 E 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 16.
(5) If water is to be used for other purposes describe: DOMESTIC USE FOR TRAILER COURT

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

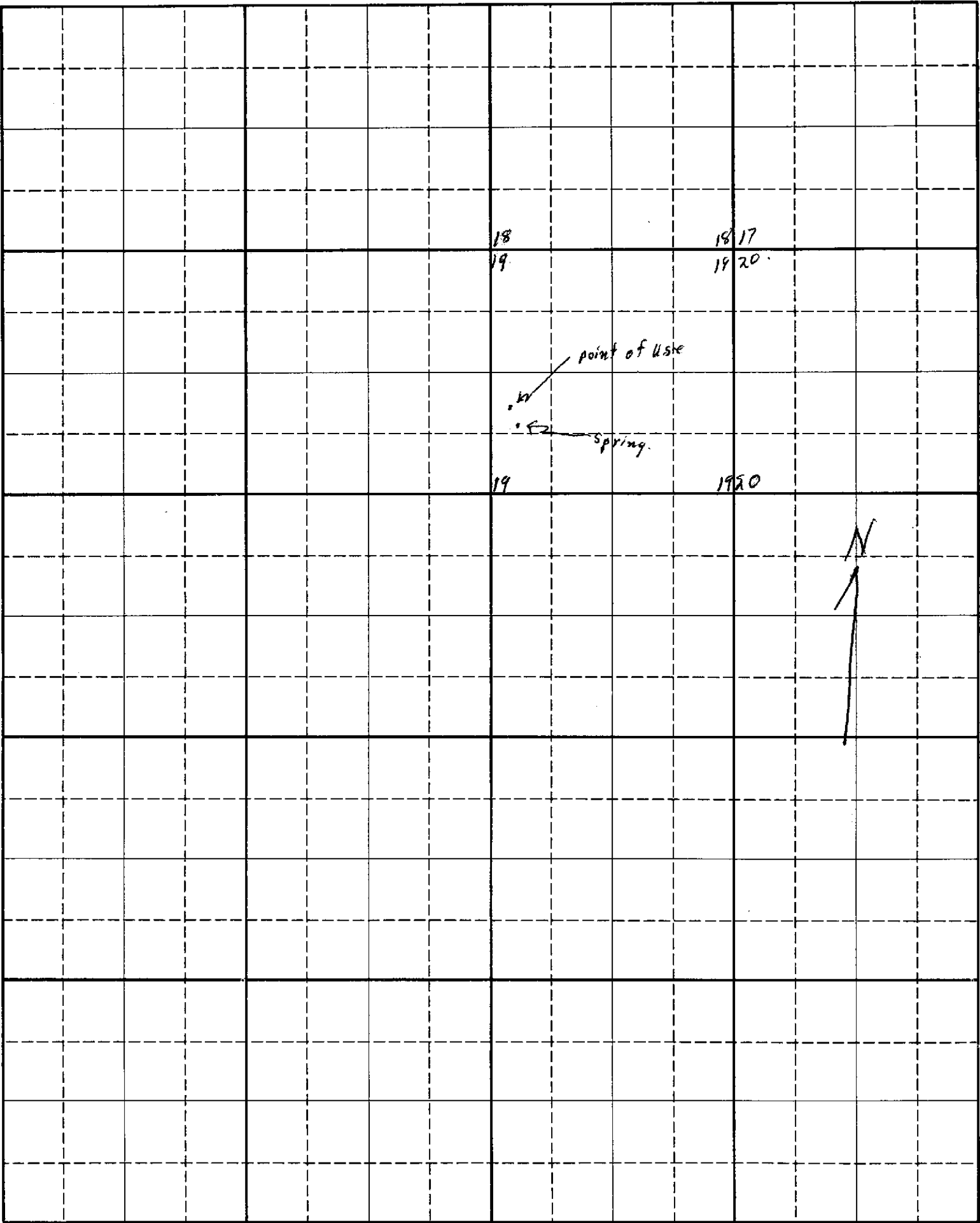
9. a. Who owns the property at the point of diversion SAME

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

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

10. Remarks _____

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.

Wayland H. Davis
(Applicant)

Received by ej Date 9-13-71 Time 3:30 **98 7045**
Preliminary check by De Fee \$ 10.00 Sheet # 8250
Receipted by ej Date 9-15-71
Publication prepared by cr Date 9-29-71
Published in Bonniers Ferry Herald
Publication dates 10-7 & 10-14-71
Publication approved CR Date 10-26-71
Priority ~~reduced to~~ 9-13-71 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by De A DFC

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. 98-7045, 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 76.
- c. Other: _____

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

Witness my hand this 29th day of October, 19 71.

R. Keith Higgins
Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 98-7045 Name Wayland H. Davis

Source Spring

Point of Diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E, B.M., Boundary County

Quantity .08 Use Domestic Period Jan. 1 - Dec. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use Domestic use for trailer court

Date Forwarded 9-30-71 Date Returned Received by

COMMENTS: Subject to prior rights.

RECOMMENDED:

Applied: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ☒ Denied ☐

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Casteln Title W.R.I. - I

Date Oct. 1, 1971

98 7045

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. H. Clubb

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 State Department of Water Administration

a Notice of Application for water permit-No 98-7045,

W.H. Davis

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Oct. 7, 1971 ~~1970~~, and ending with the issue dated Oct. 14, 1971 ~~1970~~.

Subscribed and sworn to before me this 20 day of Oct, 1971

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

98 7045

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

April 9, 1974

Mr. Neil Walter
WILSON & WALTER
P.O. Box 749
Bonners Ferry, ID 83805

Dear Mr. Walter:

In searching our files, we find the following water rights for Section 19, Township 61 North, Range 1 East, B.M.:

License No. 98-2043 (W. L. Kinnear)

Source: Deep Creek
Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Purpose: Domestic and Irrigation of 38 acres
Quantity of Water: 0.76 cubic feet per second
Place of Use: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Date of Priority: August 26, 1931

Permit No. 98-7045 (Wayland Davis)

Source: Spring
Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Purpose: Domestic for 16-unit trailer court
Quantity of Water: 0.08 cubic feet per second
Place of Use: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Proposed Priority: Application Submitted September 13, 1971

We have enclosed an assignment form which you should complete and have Mr. Davis sign. This would then transfer the permit to the new owners. The Proof of Beneficial Use for Permit No. 98-7045 is due on November 11, 1976.

Please contact us if we may be of any further assistance.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp
Enclosure

WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

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

April 5, 1974

RECEIVED
APR 10 1974

Idaho Water Department Administration
401 East Front Street
Coeur d'Alene, Idaho

Idaho Water Department Administration
401 East Front Street
Coeur d'Alene, Idaho

Re: Deep Creek Resort, Inc.

Gentlemen:

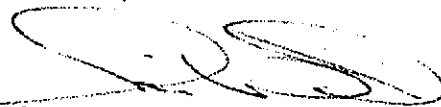
We represent Deep Creek Resort, Inc., which purchased the property known as the Deep Creek Motel and Cafe from Wayland H. Davis last year. At the time the sale was completed, Mr. Davis advised that he had acquired certain water rights and, if he has in fact done so, then it is our desire to have them transferred from Mr. Davis over to Deep Creek Resort, Inc.

The property is located in Section 19, Township 61 North, Range 1 East B. M., and I would assume that the waters appropriated would be out of Deep Creek. I would appreciate your checking this for me, and in the event that Mr. Davis has not, in fact, acquired any water rights, that you would send me a set of forms so that my client can make an application.

Thank you.

Very truly yours,

WILSON & WALTER


Neil Walter

nw:rs

RECEIVED
APR 10 1974

December 15, 1976

Re: Permit No. 98-7045

Mr. Chapman B. Leek
Route # 1
Bonners Ferry, ID 83805

Dear Mr. Leek:

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

Please note that this license has been issued for the water used by the 16 unit trailer court since that was the number of units originally requested and for which the permit was issued. Our field report indicates that water is also used for a 13 unit motel and restaurant. Therefore, if you do not have another water right for the additional use, you must file an application for permit.

An application form is enclosed for your consideration. Should you have questions regarding this matter, please contact this office or our regional office in Coeur d'Alene, Idaho.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enc: Copy of license
App for permit form

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

NOV 10 1976

1. Name of permit holder Chapman B. Leek
 Post office address Rt. 1, Bonners Ferry, ID 83805
 Person to contact _____ Phone _____

Department of Water Resources
Northern District Office

2. Source of water supply: Groundwater ☐ Surface water ☒ Spring
 (name spring, stream, etc.)
 Tributary to Deep Creek

3. Water will be used for the following purposes:

Amount 0.08 c.f.s. for Domestic (16) for Trailer Court
 _____ AF/Annum (nature of use) 13 MOTEL UNITS

Period of Use: from Jan. 1 to Dec. 31
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

RECEIVED

Permit No. 98-7045
 Examination for b/u
 DEC 6 1976
 Department of Water Resources

4. Total amount to be appropriated:

Max Rate of Diversion 0.08 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 61N N/S, Range 1E E/W, B.M., Section 19, Subdivision NW $\frac{1}{4}$ SW $\frac{1}{4}$, Boundary
 _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$,
 _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$,
 _____ County

Other Points of Diversions: _____

Description of diverting works: dug out spring sealed with concrete casing, gravity flow to pump in basement main building. 1 hp 625 gal. minute pump (20% duty cycle) to pressure system servicing restaurant, motel and mobile home park.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
61N	1E	19									X								

TOTAL ACREAGE _____

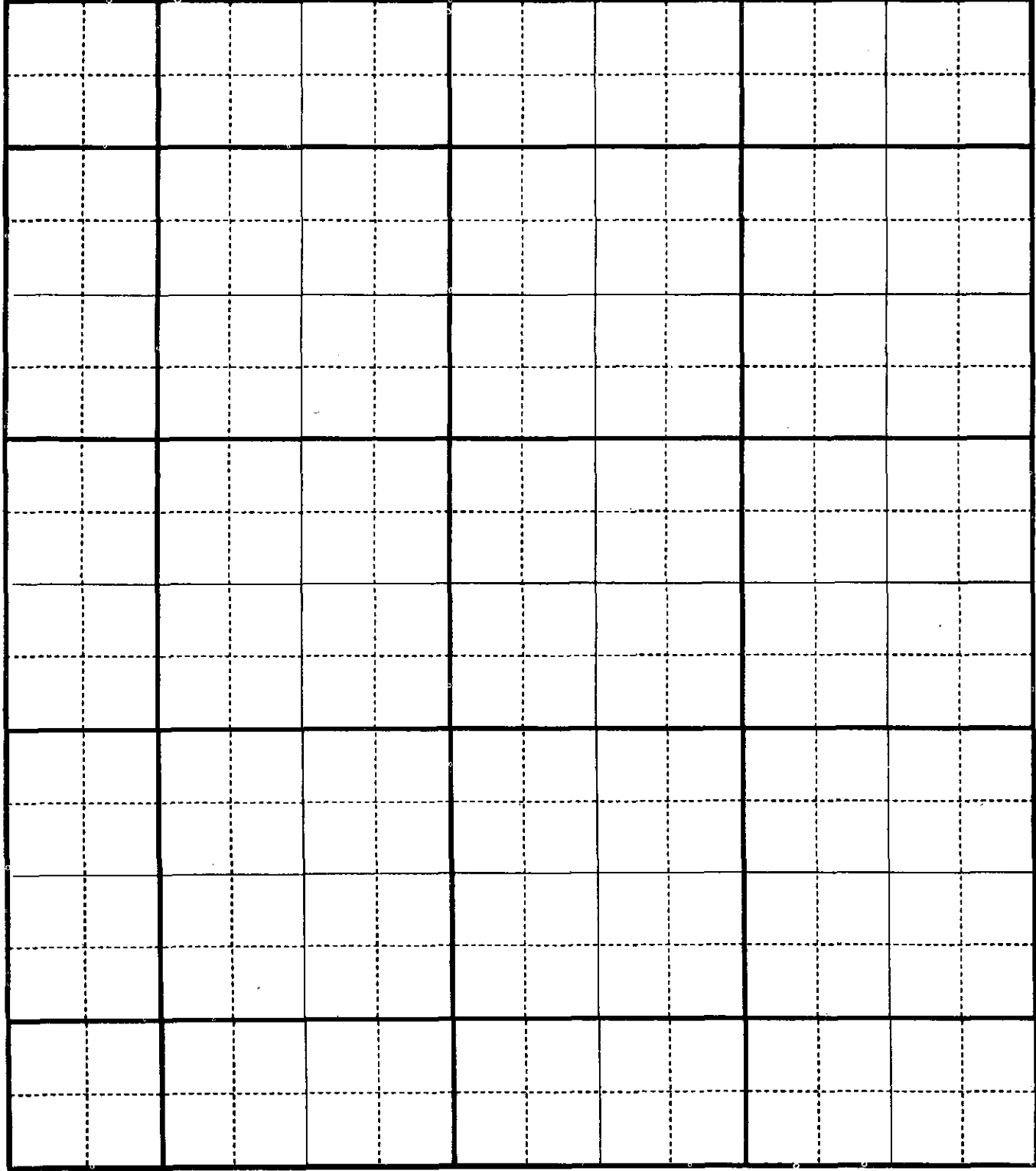


Diagram of System

DATE OF EXAM 11-24-76

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____
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 X

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

Exchange? yes _____ no X

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 0.08 Method of measurement calc

Total Q recommended 0.08 Meter No. _____ Type _____ Condition _____

Total V recommended 2.4

Recommended Amendments:

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

MEASUREMENT CALCULATION:

16 Units (Trailer spaces), 13 Motel Units, Restaurant @
0.08 cfs 3.4 AF/Ann

SYSTEM DESCRIPTION:

Developed Spring with pipe line under Deep creek
to pump and pressure tank, thence by pipe line to place
of use.

REMARKS:

Highest use during summer months

Examiner's Signature Tom D King Date 11-29-76

Checked by Bob Haynes Date 11-30-76

Approved by _____ Date _____

November 9, 1976

Re: Permit No. 98-7045

Chapman B. Leek
Route 1
Bonners Ferry, Idaho 83805

Dear Mr. Leek:

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 District Office in **Coeur d'Alene.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

1

RECEIVED

Identification No. _____

NOV 1 1976

Permit No. 98-7045

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
NOV 1 1976
Department of Water Resources
Northern District Office

1. a) Name of Permit Holder CHAPMAN B. LEEK
b) Post Office Address Route 1, Bonners Ferry, Idaho
2. Permit Number 98-7045
3. Date of Priority that you are prepared to establish September 13, 1971
4. a) Source from which water was appropriated spring
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 19
Township 61 North Range 1 East Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount .08 CFS for domestic purposes from Jan. 1 to Dec. 31 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 _____ 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: flow based on manufacturer's pump capacity data
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:
n/a
b) Describe the agreement or understanding by which you take water from the works:
n/a
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). Dug out spring sealed with concrete casing, gravityflow to pump in basement main building. 1 HP 625 gallon minute pump (20% duty cycle) to pressure system servicing restaurant motel and mobile home park
b) Describe the type and size of measuring device which you have installed at your point of diversion:
none other than knowledge of pump capacity
c) Give well driller's name and address and the date the well was completed: n/a
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Water for restaurant, 13 motel units and 16 mobile home spaces

11/18/76

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

26 Oct 76
(Date)

Chapman B. Lusk
(Signature)

State of IDAHO)
County of Boundary) ss.

On this 26th day of October, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Bonnors Ferry

My commission expires 1-21-78

WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

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

October 29, 1976

RECEIVED

NOV 1 1976

Department of Water Resources
Northern District Office

Department of Water Resources
4055 Government Way
Suite #1
Coeur d'Alene, Idaho 83814

Re: Permit No. 98-7045
Chapman B. Leek

Gentlemen:

Enclosed please find the proof of application relative
to the above permit.

Very truly yours,

WILSON & WALTER

Neil Walter

nw:rb
encl

August 31, 1976

CERTIFIED MAIL

138942

Re: Permit No. 98-7045

Chapman B. Leek
Deep Creek Resort
Bonners Ferry, Idaho 83805

Dear Mr. Leek:

One of the conditions of approval of your water Permit No. 98-7045 (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 November 1, 1976. 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

cc: Neil Walter, WILSON & WALTER, Box 749, Bonners Ferry, ID 83805

UNRECORDED

4055 Government Way - Suite #1

(208) 667-6484

October 24, 1975

Re: Permit No. 98-7045 - Chapman B. Leek

Mr. Neil Walter
WILSON & WALTER
P.O. Box 749
Bonners Ferry, ID 83805

Dear Mr. Walter:

Pursuant to your letter of October 20, 1975, in connection with the above referenced permit, enclosed is a "Proof of Beneficial Use" form which should be completed and signed by Mr. Leek and returned to our office.

After the form has been submitted, an inspection of Mr. Leek's system will be made at a later date, and then a Water License will be issued based upon this inspection.

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

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosure



WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

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

October 20, 1975

RECEIVED
OCT 23 1975

Department of Water Resources
Northern District Office

Department of Water Resources
Room 209
401 Front Street
Coeur d'Alene, Idaho 83814

Re: Application #98-7045

Gentlemen:

The above application was originally submitted by Wayland H. Davis to appropriate waters from a spring which is a tributary of Deep Creek here in Boundary County. It was subsequently assigned by Mr. Davis over to Chapman B. Leek.

Mr. Leek noted on the application that the period for completion of the system will expire next year. He, therefore, asked me to write to you to advise that the water system is now completed.

If there is any more that Mr. Leek needs to do in order to obtain a permit, please advise.

Very truly yours,

WILSON & WALTER


Neil Walter

nw:rb



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

October 1, 1975

Re: Permit No. 98-7045

Chapman B. Leek
Deep Creek Resort
Bonners Ferry, Idaho 83805

Dear Mr. Leek:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records have been changed.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosure: Copy of Permit

WILSON & WALTER
ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

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

September 3, 1975

RECEIVED

SEP 9 1975

Department of Water Resources
Northern District Office

98-7045

Department of Water Administration
Room 209
401 Front Street
Coeur d'Alene, Idaho 83814

Re: Davis - Leek

Gentlemen:

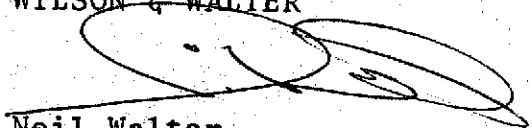
Enclosed please find an Assignment of Permit signed by Mr. and Mrs. Wayland H. Davis assigning all of their right, title and interest in a water permit to Chapman B. Leek.

I do not know the permit number, except that it was a permit obtained by Mr. Davis to appropriate waters of Deep Creek and it is the only permit that he has, so you may fill in the appropriate permit number.

Thank you very much.

Very truly yours,

WILSON & WALTER



Neil Walter

nw:rb
encl

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 4, 1971

Re: Permit No. 98-7045 - Wayland H. Davis

Wayland H. Davis
Deep Creek Motel
Bonners Ferry, Idaho 83805

Dear Mr. Davis:

Enclosed is a copy of your approved Application for Permit No. 98-7045. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosure

98 7045

Environmental Improvement
Division



1337 G Street
Lewiston, Idaho 83501

October 18, 1971

RECEIVED
OCT 20 1971

Department of Water Administration

BDF

Mr. Donald W. McEldowney
Appropriation Supervisor
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

RE: Application for Permit No. 98-7045
Wayland H. Davis, Deep Creek Motel,
Bonners Ferry

Dear Mr. McEldowney:

The application for domestic water from a spring tributary to
Deep Creek poses no problem as far as I can determine.

The spring development must be approved by our environmentalist
out of Sandpoint if the domestic use is for the public as
indicated.

Sincerely,

Arthur W. Van't Hul, P. E.
Regional Public Health Engineer

AVH/eel

cc: Jack Ross
Vaughn Anderson

98 7045

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

October 4, 1971

Re: Application No. 65-7238 - Earl Fretwell - Harry Durall
" " 81-7014 - Emmett E. Rnearson
" " 95-7156 - Lawrence Mietzner
" " 98-7045 - Wayland H. Davis

Mr. Vaughn Anderson
Dept. of Health
Boise, Idaho

Dear Mr. Anderson:

Enclosed, please find copies of the above referenced applications for permit. Before final action is taken, we would appreciate receiving your comments in connection with these applications.

Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

Enclosures

98 7045

September 29, 1971

Re: Application No. 98-7045 - Wayland H. Davis
Claim No. 98-4008 - Wayland H. Davis

Bonnars Ferry Herald
212 Main
Bonnars Ferry, Idaho 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 our 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 date. 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,

Bill submitted 10-26-71 By CR

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

98 7045

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Wayland H. Davis, Deep Creek Motel, Bonners Ferry, Idaho has on September 13, 1971 submitted Application No. 98-7045 for a permit to appropriate 0.08 cubic feet per second of water from a spring, tributary of Deep Creek by means of spring development, pump and pipeline within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19, T. 61N, R. 1E, B.M., Boundary County to be used from Jan. 1 to Dec. 31 for domestic purposes for 16 families within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19 T. 61N, 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, Statehouse, Boise, Idaho, 83707, on or before October 25, 1971.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Oct. 7 and Oct. 14, 1971.

O.K.
10.7.71
J.D.

98 7045

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Wayland H. Davis,

Deep Creek Motel, Bonners Ferry, Idaho

has on September 13, 1971 submitted Application No. 98-7049

for a permit to appropriate 0.08 cubic feet per second ~~zero feet per second~~

of water from a spring, tributary of Deep Creek

by means of spring development, pump and pipeline

within the NW 1/4, Sec. 19, T. 61N, R. 1E, B.M., Boundary County

to be used from Jan. 1 to Dec. 31

for domestic purposes for 16 families

within the NW 1/4, Sec. 19, T. 61N, 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, Statehouse, Boise, Idaho, 83707, on or before October 25, 1971.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho

on Oct. 7 and Oct. 14, 1971.

September 17, 1971

Wayland H. Davis
Deep Creek Motel
Bonners Ferry, Idaho 83805

Dear Mr. Davis:

Attached herewith is your receipt No. 8256 in the amount of \$ 20.00
for your application for permit (\$10.00) and your claim to water right app (\$10.00),
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

98 7045