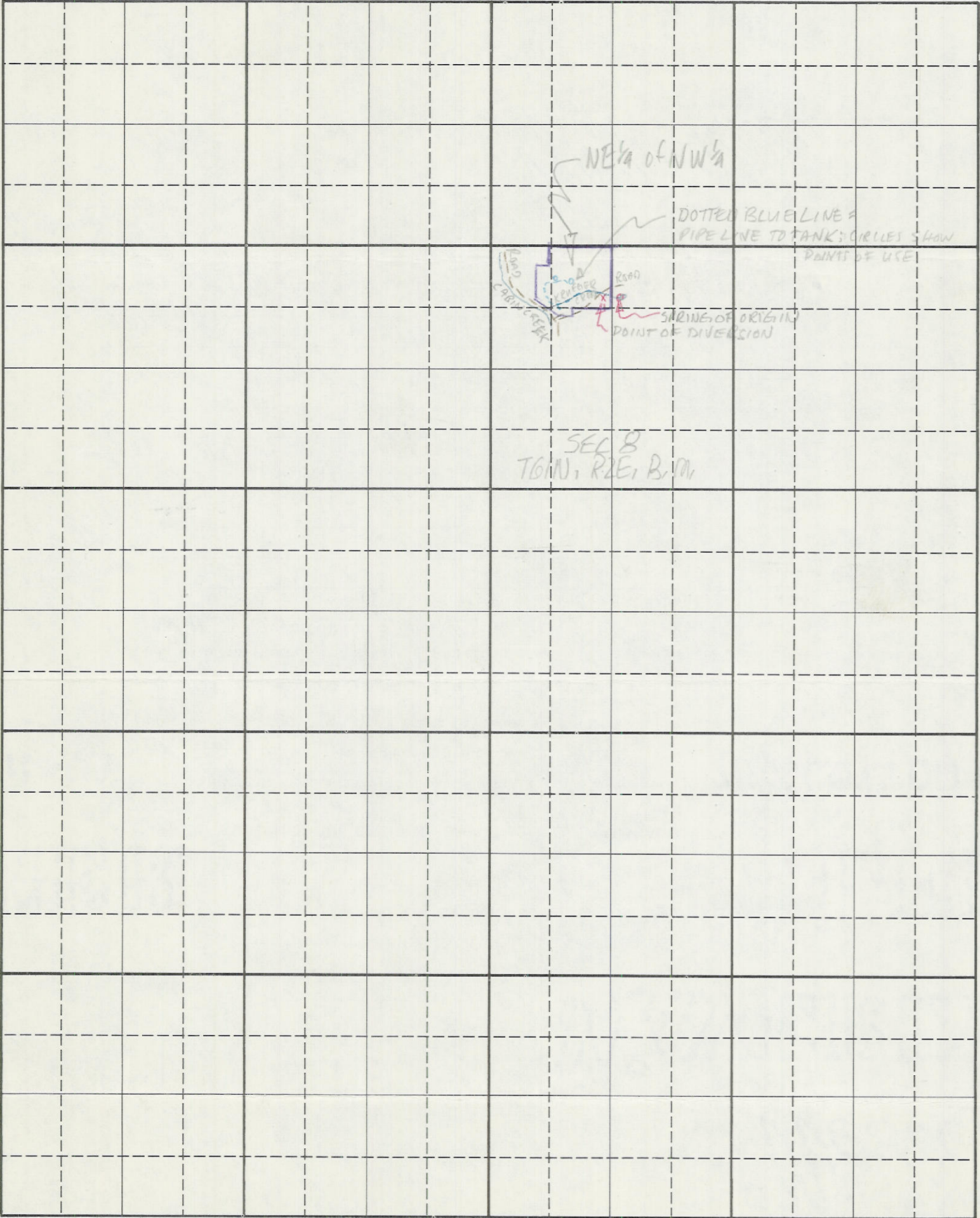


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Robert G. Dietel
(Applicant)

Allen M. Dietel
Lois M. Parker

98-7029

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
LISTING OF RIGHTS

03/04/81

INDICATES TOTAL

SOURCE: UNNAMED STREAM

TRIBUTARY TO: CABIN CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
98-0106	MERRIFIELD, DORICE MERRIFIELD, EARL M. RT. 1 BOX 509 BONNERS FERRY ID 83805	01-01-1967	STOCKWATER	01-01 12-31	.40 AFA .02 CFS	SWNE S08 T61N R02E	NWNE S08 T61N R02E	BENEFICIAL USE
	REMARKS: THIS RT. WHEN COMBINED WITH RT. 98-0105 SHALL NOT EXCEED .06 CFS NOR 1.6 AFA.							
			DOMESTIC	01-01 12-31	1.20 AFA .04 CFS		SAME AS OTHER USE	
					* 1.60*AFA * .06*CFS			
98-7029	PARKER, JR., WILLIAM A. DIETEL, ROBERT G. DIETEL, ELLEN M. RT. 1 BOX 510 BONNERS FERRY ID 83805	09-21-1970	DOMESTIC	01-01 12-31	2.40 AFA .04 CFS	NENW S08 T61N R02E	NENW S08 T61N R02E	LICENSE
	REMARKS: SOURCE KNOWN LOCALLY AS KRUEGER CK.							
98-7051	WILSON, VIOLA J. P.O. BOX 29 BONNERS FERRY ID 83805	02-24-1972	DOMESTIC	01-01 12-31	.02 CFS	SESW S08 T61N R02E	NENE S18 T61N R02E	LICENSE
98-7086A	ERICKSON, GLEN J. ERICKSON, JACQUELYN RT. 1 BOX 506 BONNERS FERRY ID 83805	08-24-1973	IRRIGATION	03-15 11-15	1.704 2.00 CFS	SESW S08 T61N R02E	NESW(15) NESE(39) NWSE(37) SWSE(10) S07 T61N R02E SWNW(14) S08 T61N R02E	PERMIT
	REMARKS: NOT TO EXCEED 2.0 CFS. WHEN COMBINED WITH 98-7086B. WHEN 2.0 CFS OR LESS IS AVAILABLE FOR APPROPRIATION FROM THIS SOURCE, 98-7086A & 98-7086B SHALL HAVE A PROPORTIONAL SHARE OF THE AVAILABLE WATER. THIS PERMIT IS NOT DECREED BY THIS ADJUDICATION, & IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING. PERMIT INCORRECTLY DESCRIBES SOURCE AS CABIN CK, TRIN. TO COW CK.						* 115 ACRES*	
98-7086B	~~SMITH, OREG~~ Harms, Eugene L. ~~SMITH, LORR~~ Harms, Frances R. ~~P.O. BOX 1237~~ Rt 1, Box 507 BONNERS FERRY ID 83805	08-24-1973	DOMESTIC	01-01 12-31	1.20 AFA .04 CFS	SESW S08 T61N R02E	SESW S08 T61N R02E	LICENSE

REMARKS: NOT TO EXCEED 2.0 CFS. WHEN COMBINED WITH 98-7086A, WHEN 2.0 CFS
OR LESS IS AVAILABLE FOR APPROPRIATION FROM THIS SOURCE, 98-7086A
& 98-7086B, SHALL HAVE A PROPORTIONATE SHARE OF AVAILABLE WATER.

and 98-7086C

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 98-7029 Priority Sept. 21, 1970 Amount 0.04 cfs

THIS IS TO CERTIFY, that Mrs. Lois M. Parker and Robert G. & Ellen M. Dietel
of Bommers Ferry, Idaho, have, ~~has~~ complied with the terms and conditions of Permit
No. 98-7029 issued pursuant to Application for Permit dated September 21, 1970,
and has submitted proof to the Department of Water Administration on November 30, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.04 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Krueger Creek
tributary of Cabin Creek, is hereby confirmed in the following amounts:

Amount 0.04 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, Twp. 61 N, Rge. 2 E, B.M.

in the county of Boundary; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2.4 acre feet per year ~~EX~~ _____

~~acre feet per acre~~

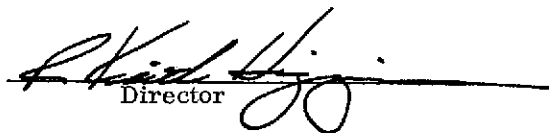
Description and location of place of use:

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 $\frac{1}{4}$	
61N	2E	8					X												

Total number of acres irrigated _____

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 9th day of
November, 19 73.


Director

98-7029

Identification No. 98-7029
Application No. _____

LICENSE ISSUED FOR .04 SEC. F.
LICENSE PAGE 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 Mrs. Lois M. Parker, and Robert G. and Ellen M. Dietel
post office address RR # 1, Bonners Ferry, Idaho 83805
2. Source of water supply Krueger Creek which is a tributary of Cabin Creek
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 61 N
Range 2 E B.M. Boundary County; additional points of diversion if any: none
- b. If water is not consumed, it will be discharged into Krueger Creek at a point in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 61 N Range 2 E B.M. _____
4. Water will be used for the following purposes:
Amount .04 for domestic purpose from January 1 to December 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. .04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Concrete catch box, 2' x 3' with 4" walls and a reinforced metal screen cover, to be placed in creek bed; plus a settling tank, 8' x 8', to be used also for emergency fire purposes; will feed a 1 1/2" pipe; to run down creek bed to point where it will be pumped to 2000-gallon tank on hilltop
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 2 years.
b. Estimated construction cost is \$ \$1400.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 61 N
Range 2 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 none
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 82
(5) If water is to be used for other purposes describe: garden irrigation from May 15 until September 15

98-7029

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	

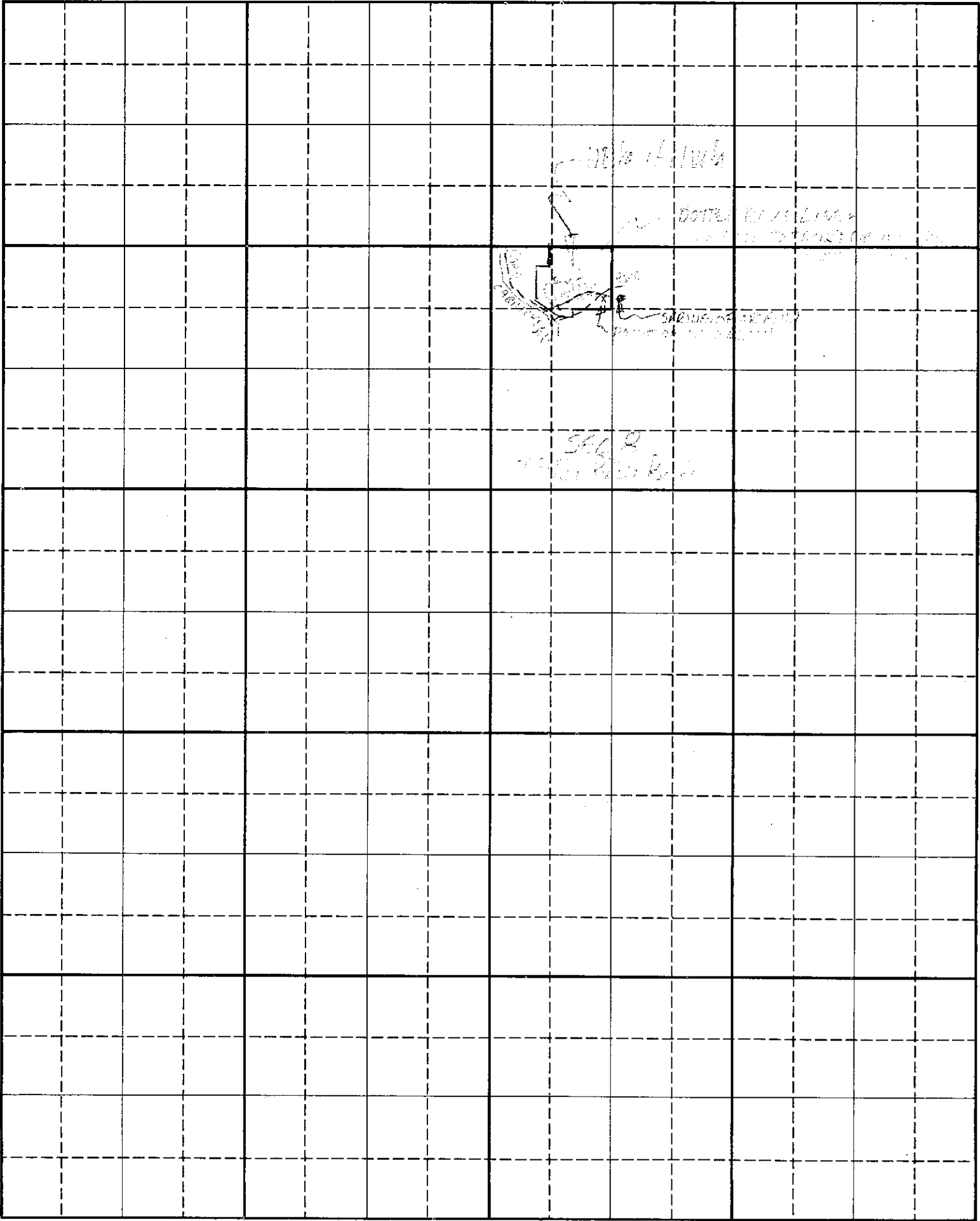
Total number of acres to be irrigated none

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 Robert G. and Ellen M. Dietel
 b. Who owns the land to be irrigated or place of use Lois M. Parker, and Robert G. and Ellen M. Dietel
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing a joint-use agreement

10. Remarks Mrs. Parker has owned this land since 1955 and has used the water from Krueger Creek during that time, as had the previous owners, Carl R. Dion, Maynard Krueger, Ray George, Archie R. Neston, and Wayfair Eaton, who first patented the land in 1913. The spring of origin is located about 20 feet above the property line, on the land belonging to Earl C. Merrifield (NW1/4 of NE1/4 of Sec. 8, T 61N, R 2E). Mr. Merrifield does not wish to grant a right for the spring, therefore a catch basin and settling tank must be sunk beside the creek on our side of the property line.

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.

Robert G. Dietel
(Applicant)
Allen M. Dietel
Lois M. Parker
98-7029

98-7029

Received by KA Date 9-21-70 Time 8:45 AM
Preliminary check by DR Fee \$ 10.00
Receipted by dy Date 9-22-70
Publication prepared by dr Date 10-1-70
Published in Bonnors Ferry Herald
Publication dates 10-8 & 10-15, 1970
Publication approved dy Date 10-27-70
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DR DR BDFM

APPROVED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

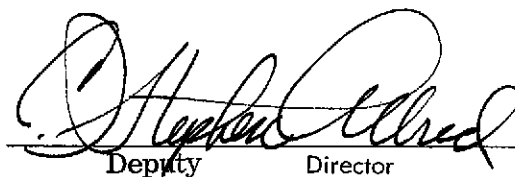
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7029, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1972.
- Other: Maximum rate of diversion shall not exceed 0.04 c.f.s.

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

Witness my hand this 12th day of November 19 70.


Deputy Director

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO**

Notice is hereby given that Lois M. Parker, Robert G. Dietel and Ellen M. Dietel, RR1, Bonners Ferry, Idaho, have on August 26, 1970, submitted Application No. 98-7029 to appropriate the public waters of Krueger Creek, tributary to Cabin Creek.

The application proposes a maximum diversion and appropriation of 0.04 cubic feet per second of water to be diverted by catch box and pump within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 61N, R. 2E, B.M., Boundary County, and is to be used within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 61N, R. 2E, B.M. for domestic purposes for two families from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department to Water Administration/on or before October 26, 1970.

State house, Boise, Idaho,
R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on October 8 and October 15, 1970.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb

being first duly sworn up 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 Department of Water Administration

a Notice of Application for Permit to appropriate the public waters of the State of Idaho.. No. 98-729-Parker/Dietel

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. 8, 1970, and ending with the issue dated Oct. 15, 1970

Subscribed and sworn to before me this 20 day of Oct, 1970

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

98-7029

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO**

Notice is hereby given that Lois M. Parker, Robert G. Dietel and Ellen M. Dietel, RRI, Bonners Ferry, Idaho, have on August 26, 1970, submitted Application No. 98-7029 to appropriate the public waters of Krueger Creek, tributary to Cabin Creek.

The application proposes a maximum diversion and appropriation of 0.04 cubic feet per second of water to be diverted by catch box and pump within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 61N, R. 2E, B.M., Boundary County, and is to be used within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 61N, R. 2E, B.M. for domestic purposes for two families from Jan. 1 to Dec. 31.

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State house, Boise, Idaho,
R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on October 3 and October 15, 1970.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb

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publisher
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the advertisement of **Department of Water Administration**

a **Notice of Application for Permit to appropriate the public waters of the State of Idaho.. No. 98-729-Parker/Dietel**

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Subscribed and sworn to before me this **20** day of **Oct**, 1970

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

98-7029

file 98-7029

May 3, 1983

Mrs. Don Pressnall
Rt. 1, Box 509*A
Bonnars Ferry, ID 83805

Dear Mrs. Pressnall:

As requested in your letter received April 29, 1983, enclosed is a copy of License 98-7029. I have also enclosed for your additional information a copy of the application for permit as originally filed by Lois Parker and Robert G. and Ellen M. Dietel along with Mr. Tom King's June 3, 1983, reply to your letter of June 1, 1982. Please note that the application and enclosed field exam identifies a total of 0.04 cfs from Kruagar Creek for domestic water to supply two families. Each family to receive 0.02 cfs of 1.2 afa.

Since License 98-7029 is considered real property and is appurtenant to the land, there is no provision in our statutes to change the name on the license to that of a new owner when a change in ownership occurs. Therefore, ownership of the water right or portion of the right is evidenced by ownership of the land.

Please be assured that we do have in file the copy of "Memorandum of Contract" referencing Yeatts sale of land and conveyance to you of 1.2 afa of the water under right No. 98-7029. Of course, you will want to review the enclosed documents to make sure you are one of the two families being supplied with domestic water under this right. You may want to trace ownership of your lands back to one of the original owners named on the license as well.

Enclosed is our receipt No. 26534 in the amount of \$1 for copies. If you have any questions or need further assistance, please do not hesitate to contact us.

Sincerely,

ROBERTA GARRETT
Records Supervisor

RG:sc

Enclosures

RECEIVED

APR 29 1983
Donald L. & Judy E. Pressnall

Route # 1, Box 509-A

Bonnars Ferry, Idaho 83805

Dept. Of Water Resources

State House

Boise, Idaho 83720

Dear Sir's:

Upon receiving a copy of a water right of Joan & Frances Yeatts, Id. #98-7421, we discovered this is not the correct water right of which we are speaking. We would like to have a copy of #98-7029, in which we are given to take and use 1.2 AFA of water represented by your dept. of water right #98-7029, from Krueger Creek. We would like to know just what all it encludes, number of families or dwellings permitted to use as given at time of permit. The water right in which we were given, as indicated in our sale papers, was to be registered in our name at your department by Joan Yeatts. Please let us know if this was taken care of properly by Joan at that time, and if not what needs to be done to right the matter.

Due to our lack of supplying you with adequate information, we are enclosing a check, #1001, for the amount of \$1.00. Closing in hopes to hearing from you in the very near future.

Sincerely,

Mrs Don Pressnall
(Judy)



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~XXXXXX~~
Director

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

June 3, 1982

Please file

Mrs. Judy Pressnall
Rt. 1 Box 509A
Bonners Ferry, Id. 83805

Dear Mrs. Pressnall:

I am enclosing a copy of License No. 98-7029.

If Mrs. Yeats obtained the property described on the license and if the water right was not specifically withheld when she purchased the property, then she can convey to you 0.02 CFS and 1.2 AF/ANN for domestic purposes for one home. She would then retain 0.02 CFS and 1.2 AF/ANN for one home.

If we can be of any further service, please contact this office.

Sincerely,

13/

TOM D. KING
Senior Water Resource Agent

TDK/pms

✓ cc: IDWR - State Office
Enc. - License

MEMORANDUM OF CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

That there exists this date, the 17 day of May, 1982, a contract between FRANCIS O. YEATTS and JOAN LOVE YEATTS, husband and wife, as Vendors, and DONALD L. PRESSNALL and JUDY E. PRESSNALL, husband and wife, of Route 1 Box 509A, Bonners Ferry, Idaho, 83805, as Vendees, providing for the sale and purchase of the following described property, to wit:

Parcel 1:

That part of the following described tract:

A parcel of land situate in the Northwest Quarter of Section 8, Township 61 North, Range 2 East, B.M., Boundary County, Idaho, more particularly described as follows:

The Point of Beginning of this description is the North quarter corner of above noted Section 8, a concrete post; thence South 1°32'40" West along the existing fence, a distance of 1317.21 feet; thence South 89°17'58" West a distance of 1263.63 feet; thence North 43°16'15" West a distance of 356.09 feet; thence North 1°36'06" West a distance of 316.45 feet; thence North 88°23'11" East a distance of 10.26 feet; thence South 36°52'04" East a distance of 238.15 feet; thence North 64°24'48" East a distance of 648.17 feet; thence North 32°22'33" East a distance of 281.84 feet; thence North 0°15'12" East a distance of 91.66 feet; thence North 89°28'27" East a distance of 327.00 feet; thence North 0°54'00" East a distance of 331.23 feet; thence North 89°28'11" East a distance of 330.74 feet to the North Quarter corner, the Point of Beginning of this description;

lying West of a line 15 feet West of the centerline of that certain access road crossing said Parcel 1, which said road begins at the approximate Northeast corner of Parcel 2 as hereinbelow described, and runs in a general Northwesterly direction from said Northeast corner; EXCEPT the North 200 feet thereof.

AND TOGETHER WITH an easement 30 feet in width for ingress, egress and utilities over the Southernmost 300 feet of said access road.

Parcel 2:

A tract of land located in Section 8, Township

Both of the above tracts TOGETHER WITH the right to take and use 1.2 AFA of the water represented by Idaho Department of Water Administration Right #98-7029, from Krueger Creek, and also TOGETHER WITH an easement 10 feet in width along the South line of Parcel 1 as hereinabove described, thence running North to Krueger Creek by the most feasible route, for purposes of installation and maintenance of an underground waterline, said easement to be non-exclusive in character.

SAID CONTRACT is now in escrow at the First Security Bank,
Bonners Ferry, Idaho.

VENDORS:

Francis O. Yeatts
Francis O. Yeatts

Joan Love Yeatts

VENDEES:

Donald L. Pressnall

Judy E. Pressnall

STATE OF IDAHO,)
County of Kootenai) ss.

On this 29th day of May, 1982, before me,
the undersigned, a Notary Public in and for the State of Idaho,
personally appeared FRANCIS O. YEATTS and JOAN LOVE YEATTS,
known to me to be the persons whose names are subscribed to
the within instrument and acknowledged to me that they executed
the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
seal the day and year first above written.

Donald R. Hargrett
Notary Public - State of Idaho
Residing at Bozeman therein
My commission expires: 3-25-84

Page Three
MEMORANDUM OF CONTRACT

Don E. Judy Bressnall
Route #1, Box 509-A
Bonners Ferry, Id. 83805

Bob Hoynes
Id. Dept. of Water Resources
4055 Government Way
Cedar Da Lane, Id. 83814

RECEIVED

JUN 1 1982

Department of Water Resources
Northern District Office

Dear Sir:

We are writing in regards to water rights on some property we just purchased from Joan Yeatts. A copy of our contract describing just where this property is located, is enclosed.

We would like to know just what our water rights are for "Kruger Creek". Joan formerly has water right, in which she gives us half of that right on our contract, according to the suggestion of your office. Does Joan Yeatts have water right to give us? Also, what is the priority set-up regarding this right?, since it is within the Cow Creek drainage litigation - from what we understand.

We would appreciate hearing from you in the near future regarding this matter.

Sincerely,

Mrs. Don Bressnall

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

RECEIVED

DEC 20 1972

1. Name of permit holder Mrs. Lois M. Parker -and- Robert G. & Ellen M. Dietel
 Post office address RR #1, Bonners Ferry, Idaho Phone _____
 Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for Domestic (2 families)
 _____ AF/Annum (nature of use)

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: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 61N N/S, Range 2E E/W, B.M., Section 8, Subdivision NE $\frac{1}{4}$ NW $\frac{1}{4}$, 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: catch basin w/metal screen placed in creek bed; line runs down
creek to "t" and pump.

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	2E	8					X												

98-7029

TOTAL ACREAGE _____

Permit No. 98-7029
 Examination for b/u

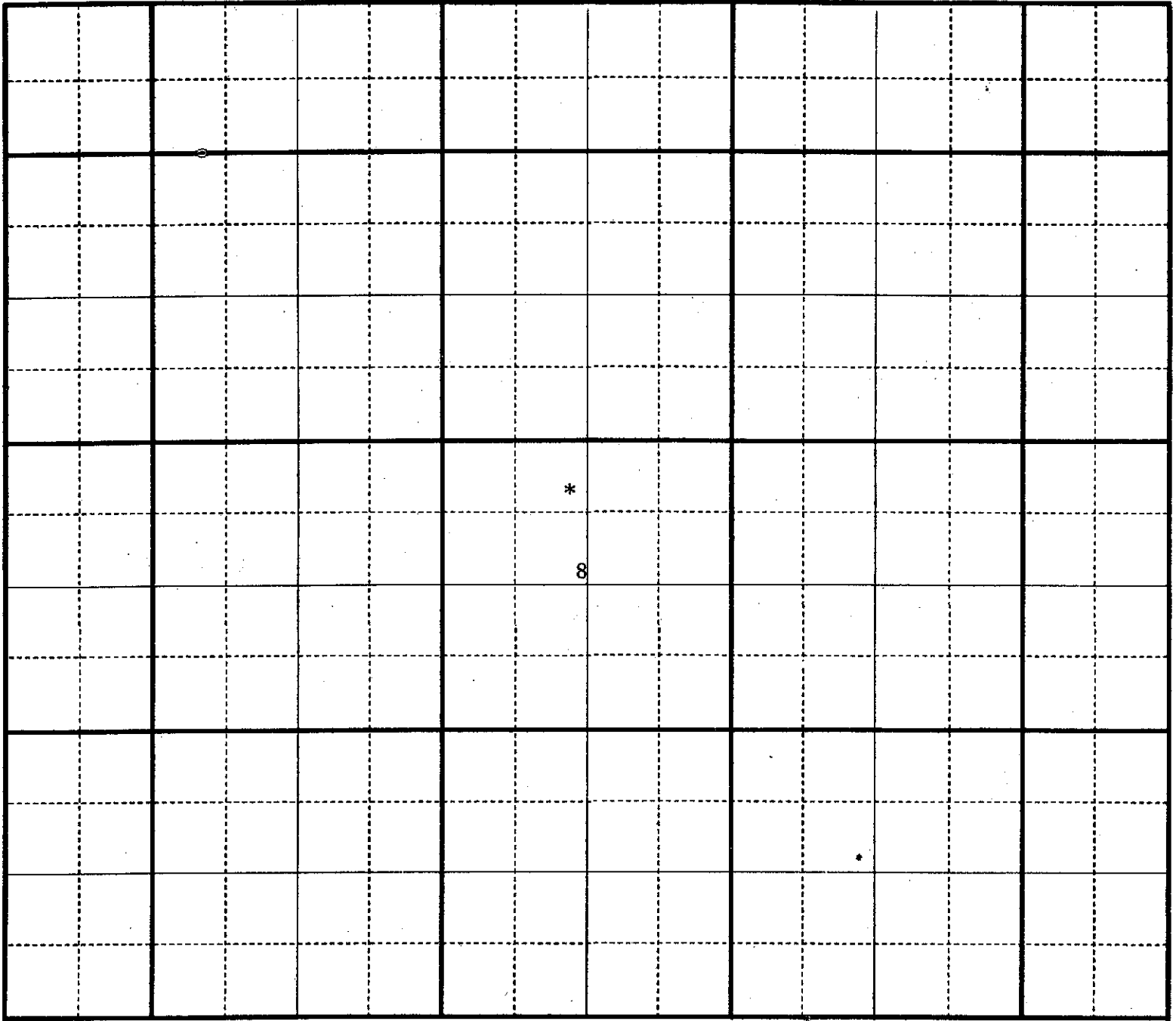
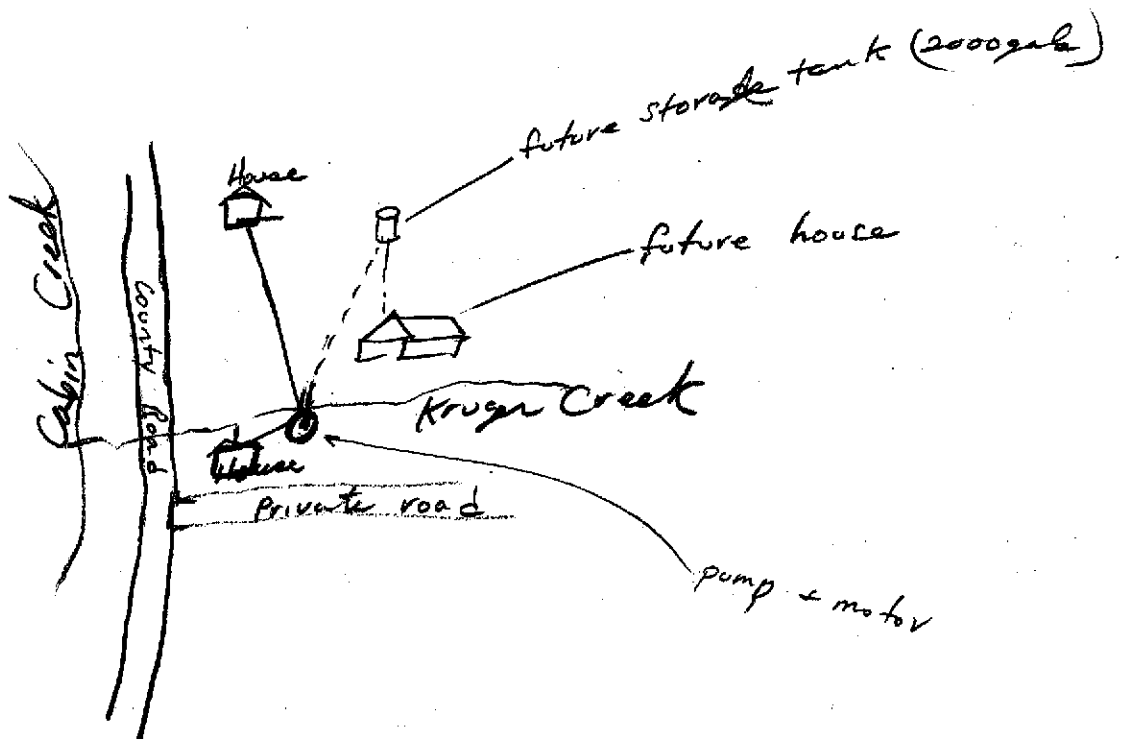


Diagram of System



DATE OF EXAM May 3, 1973

ACREAGE

Found 1/2 acre lawn and garden
Recommended 1/2

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q= c.f.s. V= AF/Ann. from to
Domestic Q= 0.04 c.f.s. V= 1.2 AF/Ann. from Jan. 1 to Dec. 31
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 0.04 cfs Method of measurement Estimated

Total Q recommended 0.04 cfs Meter No. Type Condition

Total V recommended 2.4 AF/A

Recommended Amendments:

P.D.
Place of Use
Other
None X

MEASUREMENT CALCULATION:

Estimated.

$$AF = 2 \text{ houses} \times 1.2 \text{ a.f./house} = 2.4 \text{ a.f.}$$

SYSTEM DESCRIPTION:

Ever Ready motor and Homart pump. Could not obtain data.
1/2" plastic pipe runs to pressure tank then to two houses. One more house will be
built in the near future.

REMARKS:

2.4
Recommend to licesne for 0.04 cfs at ~~2.4~~ AF/A for two houses.

Examiner's Signature Fred Eisenbach Jr. Date 5/3/73

Checked by Evin Ballou Date 5/3/73

Approved by Fred Eisenbach Jr. Date 5/3/73

98-7029

Annex 2
83707

RECEIVED
NOV 30 1972 *ck*

Department of Water Administration

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Mrs. Lois M Parker, and Robert G and Ellen M Dietel
b) Post Office Address RR 31, Bonners Ferry, Idaho 83805
2. Permit Number (application no.) 98-7029
3. Date of Priority that you are prepared to establish 26 August 1970
4. a) Source from which water was appropriated Krueger Creek, tributary of Cabin Creek
b) Location of the point of diversion: NE 1/4 NW 1/4, Section 8
Township 61 N, Range 2 E Boise Meridian, Other points of diversion: none
5. a) The amount of water and use to which the water has been applied:
amount 5.6 gal/min 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 .0125 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: measuring vessel; note that flow is less than 9 gal/min/unit for both units combined, less than the maximum flow per unit.
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: -----
b) Describe the agreement or understanding by which you take water from the works: -----
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) catch basin w/ metal screen placed in creek bed; line runs down creek to 't' and pump.
b) Describe the type and size of measuring device which you have installed at your point of diversion: ----- (see 5.c)
c) Give well drillers name and address and date the well was completed -----

Exam typed 12-11-72 by *th*

98-7029

602-85

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use domestic purposes; NE $\frac{1}{4}$ NW $\frac{1}{4}$ section 8, township 61N, range 2E

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: small garden ($\frac{1}{4}$ acre) in same place as question 8

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	2E	8					< $\frac{1}{4}$ ac.												

Total number of acres irrigated less than $\frac{1}{4}$

10. Remarks: Regardin 5.c and 7.b, according to Don Jensen, Boundary County SCS representative, water diversion for beneficial use in amounts so small as to be less than 9 gal/min need not have an exact measuring device but only an approximation. In this case, the combined flow for both units does not exceed the flow suggested (letter, 11 Sept 70) for one unit.

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

Robert A. Dittel
ss.
Ellen M. Dittel

11-28-72

(Date)

(Signature)

State of Idaho)
County of Boundary) ss.

On this 28 day of November, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ruth Allured
Notary Public residing at Bonnors Ferry

My commission expires 6/1/76

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

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

November 13, 1973

Re: Permit No. 98-7029

Mrs. Lois M. Parker &
Robert G., Ellen M. Dietel
RR # 1
Bonners Ferry, Idaho 83805

Dear Mrs. Parker & Mr. & Mrs. Dietel:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

98-7029

BONNERS FERRY HIGH SCHOOL
Route 1, Box 198 AB
Bonners Ferry, Idaho 83805



Christmas



Master of St. Lucy Legend
National Gallery of Art

State of Idaho Dept of WATER ADMINISTRATION

Statehouse--Annex 2

Boise

Idaho 83707

CERTIFIED

No. 151153

MAIL

98-7029

SENDER: Be sure to follow instructions on other side

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

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

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

CERTIFIED NO.

24036

1

Lois M. Parker

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

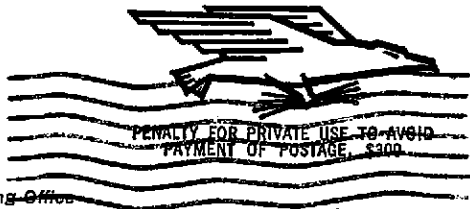
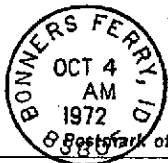
SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3

10-4-72

98-7029

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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

SENDER INSTRUCTIONS

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



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



**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

98-7029

October 2, 1972

CERTIFIED MAIL

#24036

Re: Permit No. 98-7029

Mrs. Lois M. Parker -and-
Robert G. & Ellen M. Dietel
RR #1
Bonners Ferry, Idaho 83805

Dear Mrs. Parker & Mr. & Mrs. Dietel:

One of the conditions of approval of your water Permit No. 98-7029 (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 December 1, 1972. 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

Enc: Proof affidavit
dr

98-7029

April 30, 1971

Re: Permit No. 98-7029

Mr. Robert G. Dietel
Route # 1
Bonners Ferry, Idaho 83805

Dear Mr. Dietel
Route # 1
Bonners Ferry, Idaho 83805

Dear Mr. Dietel:

We wish to advise you that the above numbered permit in the name of Mrs. Lois M. Parker, and Robert G. and Ellen M. Dietel, proposes a year-round use of the waters from Kruger Creek for domestic purposes. The priority, as established under this permit, would be October 21, 1970. If the use as described in this permit has an historical background of use, then it could also be recorded on our claim form, which would attempt to preserve the priority as to the first date of use.

The State of Idaho operates under the appropriation doctrine of "first in time, is first in right." Therefore, before any appropriations are made on any source of water, all prior or existing water rights should be fulfilled.

If you should have any further questions in reference to this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner,

DC:cm

Enclosure

98-7029

RECEIVED

APR 22 1971

[Department of Water Administration]

20 April 71

Dorian Vlay, appropriation examiner
Dept of water administration
Statehouse--annex 2
Boise, Id 83707

Dear Sir,

Re: Application for permit 98-7029

We have been advised that said appropriation permit is strictly on an overflow basis; conceivably the owner of the right upstream could appropriate all the water in the stream, leaving our two domestic units without water.

Consideration of this and your letter to us of 11 September 70 has lead to the discovery that our diversion apparently antedates that of the upstream party by approximately 20 years. (The first diversion was made by the patentee of our property in 1913).

May we now apply for a claim to a water right? We are aware that if we did file for the claim, acceptance would not confirm the right but merely make it available to a court for a possible basis for adjudication.

Thank you for your advice in this matter!

Sincerely



Robert G. Dietel
Route 1
Bonners Ferry, Id 83805

and down

98-7029

November 17, 1970

Re: Permit No. 98-7029

Mrs. Lois M. Parker & Robert G. & Ellen M. Dietel
RR # 1
Bonners Ferry, Idaho 83805

Dear Mrs. Parker & Mr. & Mrs. Dietel:

Enclosed is a copy of your approved Application for Permit No. 98-7029. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

C. Stephen Allred
Deputy Director

CSA:kh

Enclosures: Copy of permit
Receipt No. 5171 for \$10

98-7029

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO**

Notice is hereby given that Lois M. Parker, Robert G. Dietel and Ellen M. Dietel, RR1, Bonners Ferry, Idaho, have on August 26, 1970, submitted Application No. 98-7029 to appropriate the public waters of Krueger Creek, tributary to Cabin Creek.

The application proposes a maximum diversion and appropriation of 0.04 cubic feet per second of water to be diverted by catch box and pump within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 61N, R. 2E, B.M., Boundary County, and is to be used within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 61N, R. 2E, B.M. for domestic purposes for two families from Jan. 1 to Dec. 31.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration/on or before October 26, 1970.

State house, Boise, Idaho,

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on October 8 and October 15, 1970.

98-7029

October 1, 1970

Re: Application No. 98-7029 - Lois M. Parker, Robert G. Dietel &
Ellen M. Dietel
98-7030 - The Pack River Company

Bonnors Ferry Herald
212 Main
Bonnors 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 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (2)

Bill submitted 10-27-70 By dg

98-7029

NOTICE OF APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that Lois M. Parker, Robert G. Dietel and

Ellen M. Dietel, RR 1, Bonners Ferry, Idaho, have ////// has on on August 26, 1970,

submitted Application No. 98-7029 to appropriate the public waters of
Krueger Creek, tributary to Cabin Creek.

////////////////////
The proposed uses are _____

The application proposes a maximum diversion and appropriation of 0.04
cubic feet per second //////// acre feet of water to be diverted by catch box and
pump within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8,
T. 61N, R. 2E, B.M., Boundary County,

and is to be used within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T. 61N, R. 2E, B.M. for domestic
purposes ~~ff~~ for two families from Jan. 1 to Dec. 31

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Water Adminis-
tration on or before October 26, 1970.

Statehouse, Boise, Idaho,

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho,
on October 8 and October 15, 1970.

14

98-7029

RECEIVED

SEP 21 1970

17 September 70

Dorian Clay, approp exam
Dept of water adm, state of Idaho
Statehouse--annex 2
Boise 83707

Department of Water Administration

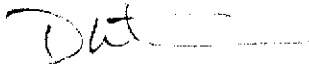
Dear Sir:

In response to your letter of 11 September, we are again resubmitting the application for permit. Please note the change in item 5, "Total quantity to be appropriated." According to the suggestion in your letter ("This department considers 0.02 cfs... a sufficient quantity for each domestic unit..."), we have changed the item to read 0.04 cfs, since two units will be served.

We trust this will meet with your satisfaction.

Thank you.

Sincerely,



Robert G. Dietel

98-7029

August 18, 1970

Mrs. Lois M. Parker

Route #1

Donners Ferry, Idaho 83805

Dear Mr. Parker:

We are herewith returning your application for permit, as it is on one of our old forms that we no longer accept.

Please find enclosed our new application for permit form and instructions. There will be a filing fee for this application, which you can determine from page three of the instructions.

If we can be of any assistance in this matter, please feel free to contact us.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

Enc: original application
new application form and instructions

98-7029

December 18, 1972

Re: Permit No. 98-7029

Mrs. Lois M. Parker -and-
Robert G. & Ellen M. Dietel
RR # 1
Bonners Ferry, Idaho 83804

Dear Mrs. Parker & Mr. & Mrs. Dietel:

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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

bc: Northern District Office
Enc: Field exam report

98-7029