

No Color
Documents
In File

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that CURLEY CREEK WATER ASSOCIATION
of Moyie Springs, Idaho, has complied with the terms and conditions of Permit
No. 98-7019 issued pursuant to Application for Permit dated October 13, 1969,
and has submitted proof to the Department of Water Resources on December 21, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .08 cfs of water from a spring,
tributary to Curley Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than .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 20.4 acre feet per year, said waters to be diverted within the NE¹/₄ NW⁴/₄, Sec. 22, Twp. 62N,
Rge. 3E, B.M. in the County of _____ Boundary _____

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

SEE ATTACHED LAND LIST

Director

98-7019

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 98-7019
IN THE NAME OF CURLEY CREEK WATER ASSN.

ORDER OF REINSTATEMENT

WHEREAS, on October 13, 1969, Curley Creek Water Association applied to the Department of Water Resources for a permit to appropriate 0.20 cubic feet per second of water from a surface spring to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Twp. 62N, Rge. 3E B.M., Boundary County, to be used for domestic purposes; and,

WHEREAS, on December 22, 1969, the Department approved said application and issued Permit No. 98-7019 with the condition that proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1974; and,

WHEREAS, on November 25, 1974, the Department granted a request for an extension to time until December 1, 1979; and,

WHEREAS, on September 30, 1979, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on November 23, 1979, the Department received another request for extension of time; and,

WHEREAS, on December 14, 1979, the Department sent a copy of the denied request for extension of time and a notice of lapsing; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on December 21, 1979, within a timely manner;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 98-7019 be REINSTATED with no advance in priority.

Dated this 14th day of January, 1980.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 98-7019

ORDER

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

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE DATE)
IN CONNECTION WITH PERMIT NO. 98-7019 in the) ORDER
name of CURLEY CREEK WATER ASSOCIATION)
_____)

WHEREAS, on October 13, 1969, Curley Creek Water Association applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate .2 cubic feet per second of water from a surface spring, within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Twp. 62N, Rge. 3E, B.M., Boundary County, to be used for domestic purposes; and,

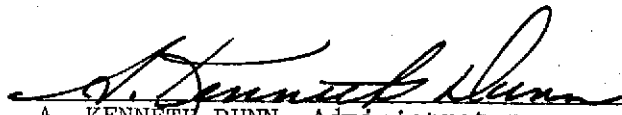
WHEREAS, on December 22, 1969, the Department approved said application and issued Permit No. 98-7019 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1974; and,

WHEREAS, on November 20, 1974, the Department received a request from the permit holder for an extension of time for said permit; and,

WHEREAS, it appears that under the circumstances the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 98-7019 be extended to December 1, 1979.

Dated this 25th day of November, 1974.


A. KENNETH DUNN, Administrator
Operations Division

BDF:JG

MICROFILMED

Identification No. 98-7019
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant CURLEY CREEK WATER ASSOCIATION
post office address MOYIE SPRINGS, IDAHO 83845
2. Source of water supply Surface Spring which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 62N
Range 3E B.M. Boundary County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into all consumed 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: Continually, domestic water system serving
Amount .2 for domestic purpose from about 25 families to 12-31 (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. .2 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 30,000 gallon concrete tank
Spring development; pump house; concrete storage tank. Water
conveyed by AC pipe with water meters
- b. Height of storage dam none feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: 30,000 gal. con. storage tank
Period of year during which storage will occur continuously 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 MONTHS
~~5 YEARS~~
b. Estimated construction cost is \$ 25,000.
8. Description of proposed uses:
a. If water is **not** for irrigation: 15, 16, 17, 20, 21,
22, 27, 28, and 34
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Sections _____ Township 62
Range N.R 3E B.M. as shown in detail engineer's map.
(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 Curley Creek, or number of families to be
supplied with domestic water 25.
- (5) If water is to be used for other purposes describe: _____

98-7019

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_____

9. a. Who owns the property at the point of diversion Clara Peck Hewett

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

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

10. Remarks Domestic water system.

11. Map of proposed project:

[illegible]

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.

Curley Creek Water Assn., Inc.

Robert E. Vudlauer
(Applicant)

98-7019

Received by ef Date 10-13-69 Time 8:00a
Preliminary check by RWR Fee \$ 10.00
Receipted by ef Date 10-13-69
Publication prepared by da Date 10-29-69
Published in Bozeman Daily Herald
Publication dates 11-20 and 27-69
Publication approved ef Date 12-8-69
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by D RWH
DME HO DEC

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7019, 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 December 1, 19 74.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 22nd day of December 19 69.

R. Keith Higgs
State Reclamation Engineer

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Curley Creek Water Association, Moyie Springs, Idaho, has on October 13, 1969, applied for permit under application No. 98-7019 to divert .2 cubic feet per second of water from an unnamed spring. Water will be diverted by pump, storage tank and pipe within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T. 62N, R. 3E, B.M. Boundary County and is to be used from January 1 to December 31 for domestic purposes in Sections 15, 16, 17, 20, 21, 22, 27, 28 and 34, T. 62N, R. 3E, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on November 20 and November 27, 1969.

STATE OF IDAHO }
County of Boundary }

AFFIDAVIT OF PUBLICATION

W. H. Chubb, publisher

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

Department of Reclamation

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 of Idaho Department of Reclamation

a Notice of Application for water-Curley Cr. #98-7019

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Nov. 11 20, 1969, and ending with the issue dated Nov. 11 27, 1969

Subscribed and sworn to before me this 2nd day of Dec, 1969

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

98-7019

Bill submitted
12-8-69

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb, publisher

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

NOTICE OF APPLICATION FOR WATER

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R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on November 20 and November 27, 1969.

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

State of Idaho Department of Reclamation
the advertisement of

a Notice of Application for water-Curley Cr. #98-7019

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Nov. # 20, 1969, and ending with the issue dated Nov. 27, 1969

Subscribed and sworn to before me this 3rd day of Dec, 1969

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

98-7019



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

August 27, 1982

Mr. Delbert Hudlow, President
Curley Creek Water Assn., Inc.
Moyie Springs, Id. 83845

Re: 98-7019, 98-7207 and 98-7217

Dear Mr. Hudlow:

I have received your letter of August 23, 1982, and if I understand your question correctly, you are inquiring about the priorities of License No. 98-7019, Permit Nos. 98-7207 and 98-7217. The basic premise of Idaho Water Law is "first in time is first in right". This premise can only be put in abeyance through the right of Eminent Domain as described in the Idaho Constitution, Art. I, Section 14 and Art XII, Section 3.

Of the three above-referenced water rights, License No. 98-7019 in the name of Curley Creek Water Assn. has the highest priority, October 13, 1969. Permit No. 98-7207 in the name of Power Associates is second with a priority date of July 8, 1977. Permit No. 98-7217 in the name of Curley Creek Water Assn. has the lowest priority, September 22, 1977.

The status of priorities mentioned above may be changed in that Permit No. 98-7207 is scheduled for cancellation hearing in the Boundary County Courthouse on September 14, 1982, at 9:30 a.m. If it is determined that Permit No. 98-7207 is not to be cancelled, water could only be diverted under Permit No. 98-7217 when the use of that water would not hinder the appropriation of water under No. 98-7207. Of course, if the permit is cancelled, Power Associates would have to refile with a priority date established on the date of refiling.

If you have any questions, please contact me at this office.

Sincerely,

151
TOM D. KING
Senior Water Resource Agent
TDK/pms
cc: IDWR - State Office - w/enc.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

CURLEY CREEK WATER ASSN.
C/O DELBERT HUDLOW, PRES.
MOYIE SPRINGS, ID 83845

SEPTEMBER 24, 1979

RE: 98-7019

DEAR WATER USER:

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

SINCERELY,

JIM JOHNSON
WATER DISTRIBUTION SUPERVISOR

ENCLOSURE

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

September 22, 1989

Curley Creek Water Association
Moyie Springs,
Idaho 83845

Dear Sirs,

A representative of this Department has made an examination of the works covered by your Permit No. 98-7019, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .08 cfs Source: spring

The maximum quantity diverted shall not exceed 20.4 acre feet
per year.

Point(s) of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, Twp. 62N, Rge. 3E, B.M.

Beneficial use: Domestic use for 17 homes within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15;
SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16; S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22;
SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 28, Twp. 62N, Rge. 3E.
Priority date established: October 13, 1969

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
JIM JOHNSON
Water Rights Supervisor

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

Point(s) of diversion: NE NW, S. 22. T 62 N, R 3 E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
62 N	3 E	15											X					X	
		16											X			X			
		21			X	X	X	X		X									
		22	X							X				X					
		27				X			X										
		28	X			X													

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

9-12-80
9/12/80
9/19/80

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

January 31, 1980

Curley Creek Water Assn.
Morie Springs
Idaho 83845

RE: 98-7019

Gentlemen:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/fms

cc: IDWR - State Office

MICROFILMED

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4910
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33

379pm

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379pm

1981-1982

DEPARTMENT OF WATER RESOURCES

Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 98-7019.

Name(s) of Permit Holder: Curley Creek Water Assn., Inc.

Post Office Address: Moyie Springs, Idaho 83845

Tel. No. 267-3478

Source of Water: _____

Extent of Use:

☒ Domestic

16

(number of households)

☒ Stockwater

200 Dairy Cows

(number and type of stock)

☐ Irrigation

(acres)

☐ Other _____

Measuring Device: Required?

☐ Yes ☒ No

Installed?

☒ Yes ☐ No

Access Port: Required?

☐ Yes ☒ No

Installed?

☐ Yes ☐ No

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

12-18-79
Date

Delbert S. Meadows
Signature of Permit Holder Pres.

RECEIVED

DEC 21 1979

Department of Water Resources

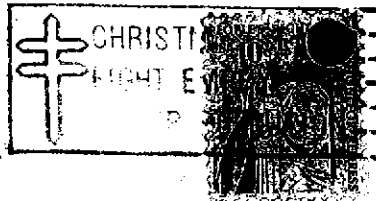
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Curley Creek Water

Star Rt.

Moyie Springs, Ida

83845



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

January 31, 1980

Curley Creel Water Assn.
Moxie Springs
Idaho 83845

RE: 98-7019

Gentlemen:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

MICROFILMED

RECEIVED

NOV 23 1979

Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

RECEIVED

NOV 27 1979

Department of Water Resources

State of Idaho)
County of BOUNDARY)

Permit No. 98-7019

Curley Creek Water Assn. of % Delbert Hudlow (President) Moyie Springs
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 98-7019.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before December 1, 19 79.

That he has heretofore performed the following work described under said permit:
System complete with 14 water users, 2 additional stubs in. Water shortage
in 1977 caused the Association considerable problems and expense.

Costing \$ _____

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Unable to tell exactly where to install additional
stubs since homes are not yet built. Funds to extend more pipe lines are
exhausted.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to December 1, 19 84.

Delbert Hudlow
(signature) *

Subscribed and sworn before me this _____ day of _____, 19 ____.

seal

Notary Public residing at _____

My commission expires _____

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be DENIED
pursuant to Section 42-204, Idaho Code, which states that a permit holder may
only be granted one extension of time.

Witness my hand this 13 day of December, 19 79.

[Signature]
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, 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

December 6, 1979

Curley Creek Water Assn.
c/o Delbert Hudlow, President
Moyie Springs, ID 83845

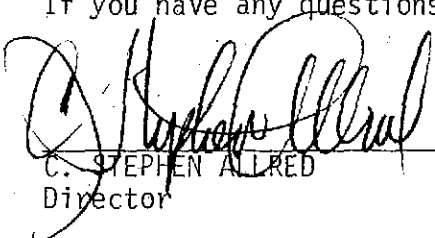
Gentlemen:

Re: Permit No. 98-7019

We have reviewed the request for extension of time which you submitted, however, we are unable to approve it since you have already received one.

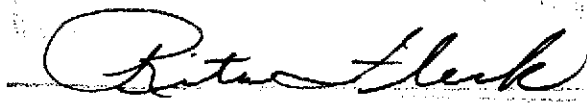
You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 98-7019 has lapsed. May I suggest that you complete the statement of beneficial use postcard for that portion of this project completed and file a new application for permit for the remainder of the project not yet developed. I have enclosed the necessary forms for you.

If you have any questions concerning this matter, please contact us.


C. STEPHEN ALLRED
Director

CSA:rf

Enclosures

12-14-79


RECEIVED
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 384-2215

CURLEY CREEK WATER ASSN.
C/O DELBERT HUDLOW, PRES.
MOYIE SPRINGS, ID 83845

104413

SEPTEMBER 30, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 98-7019 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1979. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

RECEIVED
SEP 30 1979



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

June 19, 1979

Dear Wateruser:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have installed the measuring device, the field examination can be more quickly conducted by the Department's field examiner. You will also derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

RECEIVED

November 27, 1974

Re: Permit No. 98-7019

Curley Creek Water Association
Attn: Delbert Hudlow, Pres.
Moyie Springs, Idaho 83845

Dear Mr. Hudlow:

Enclosed is an Order which extends the proof due date in connection with the above referenced permit.

The time within which to submit proof of beneficial use has been extended to December 1, 1979.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

MICROFILMED

RECEIVED

NOV 20 1974

Curley Creek Water Association
Moyie Springs, Idaho 83845
November 18, 1974
Department of Water Resources

State of Idaho Department of Water Resources
% R. Keith Higginson, Director
Statehouse, Boise, Idaho 83720

Re: Permit No. 98-7019

Dear Mr. Higginson:

At the present time we have eleven water uses on our system.

We have had many financial setbacks during the past three years. Right now we have electrical problems that need attention and will be costly. With our \$1234.00 annual payment to the FHA, plus approximately \$100.00 to Northern Lights for pumping water to the storage tank, Treasurer's Bond, etc., we see no recourse other than to request that our Association withdraw our proof of beneficial use at this time for a period of five years. We have no money to buy the measuring device.

Thank you for your consideration.

Sincerely,

Delbert Hudlow
President, Curley Creek Water Association

Delbert L. Hudlow

DH:ch

MICROFILMED

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

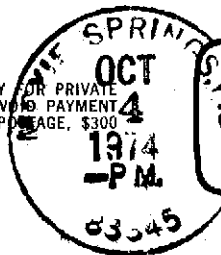
Print your name, address, and ZIP Code in the space below.

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

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



● SENDER: Complete items 1 and 2.

Add your address in the RETURN TO space on reverse.

1. The following service is requested (check one)

- ☐ Show to whom and date delivered 15¢
☐ Show to whom, date, & address of delivery 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered 65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

26131

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE

Delbert M. ...

DATE OF DELIVERY

10-4-74

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

JB



September 30, 1974

CERTIFIED MAIL

#26131

Re: Permit No. 98-7019

Curley Creek Water Assoc.
Attn: Delbert Hudlow, Pres.
Moyie Springs,
Idaho 83885

Dear Mr. Hudlow:

One of the conditions of approval of your water Permit No. 98-7019 (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, 1974. 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

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

RECEIVED

No Land Description -
except Plaintiffs
Requested May 13, 1904

88 7019

Curley Creek Water Assn.
Moyie Springs, Idaho 83845
27 December 1971

Bobby D. Fleenor
Assistant Director
State of Idaho
Dept. of Water Administration
Statehouse--Annex 2
Boise, Idaho 83707

Dear Sir:

Re: Permit No. 98-7019

We wish to withdraw our proof of beneficial use at this time and wait until our November 1974 date when beneficial use is required to determine whether or not additional parties are going to be served by this system.

Sincerely,

Delbert Hudlow
President, Curley Creek Water Assn.

DH:ch



98 7019

December 20, 1971

Re: Permit No. 98-7019

Curley Creek Water Association
Moyie Springs,
Idaho 83845

Gentlemen:

Enclosed please find a copy of our letter of July 12, 1971. To this date, we have not received a reply from you regarding this matter.

Would you please advise this office within 10 days of the date of this letter whether or not you wish to withdraw your proof of beneficial use at this time. If you have any questions, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of 7-12-71 ltr.

98 7019

Bob:

6-25-71

I recommend that a measuring device be installed. Perhaps the company should withdraw beneficial use until the full five year development period has expired. This would allow them to enroll additional members to bring the system to capacity. If we make an exam at the present time the capacity would be limited to the existing members.

Ken 88 7019

July 12, 1971

Re: Permit No. 98-7019 - Curley Creek Water Assn.

Delbert Hudlow, Pres.
Curley Creek Water Assn.
Moyie Springs, Idaho 83845

Dear Mr. Hudlow:

In reference to your recent correspondence concerning a measuring device requirement for Permit No. 98-7019, we have reviewed the matter and find that the Department will need to maintain the requirement for a measuring device on your permit.

We have noted from your correspondence that you have approximately only ten water users served at this time. Under your application, you stated that approximately twenty-five families could possibly be served from this system. We would therefore, suggest that you withdraw the proof of beneficial use received by the Department on June 4, 1971 and wait until your November 1974 date when beneficial use is required to determine whether or not additional parties are going to be served by this system. If so, you would be able to afford the measuring device required. You can, on or before December 1, 1974, request additional time (five additional years) for purpose of serving additional people under your system and placing the water to full beneficial use. If you decide to withdraw proof of beneficial use, a letter from your organization requesting this will be sufficient. If you do not intend to withdraw proof, then we will require that a measuring device be installed at this time.

Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

98 7019

R.E. Permit no. 98-7019
Curley Creek Water Assn.

Mojave Springs, Idaho
June 21, 1971

State of Idaho

Dept of Water Adm. State House Ann 2
Boise Idaho 83707

Dear Mr. McElmurray:

In reference to your
letter dated June 8, 1971.

We wish to thank you
for your information as
to types of meters we
might install for a
measuring device, but
checking the price of the
ones we might purchase
they run around \$700.⁰⁰

We are a very small
corporation - ~~more~~^{ten} members,
and are out of funds
until we can get more
members.

98 7019

Possibly we can talk to more engineers and come up with a suitable measuring device that we can afford or perhaps you could help us with information if you know of any other corporations have installed.

We have several interested parties that we hope will buy membership in the near future which will give us more money to work on. Mostly we need more time, as I am sure we cannot get a measuring device installed by July 8th.

Sincerely
Robert Hollow (Pres)
Magic Springs Idaho

June 8, 1971

Re: Permit No. 98-7019

Curley Creek Water Association
Delbert Hudlow, Pres.
Moyie Springs, Idaho 83845

Gentlemen:

We are in receipt of your affidavit submitted as proof of beneficial for permit 98-7019. However, in reviewing that affidavit, it appears that you have failed to install the measuring device as required by the conditions of approval of your permit and by Section 42-701 of the Idaho Code.

We cannot accept your proof and issue a license unless you have installed a measuring device of a type approved by the Department. We will hold your affidavit until you can supply us with information as to the type of measuring device installed. You should be aware that failure to install the device and supply information as to the type of device installed may result in the loss of your permit. We will withhold action regarding this permit until July 8, 1971.

We are enclosing a list of the types of devices approved by the Department. If you have any questions or if we may be of any assistance, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enclosure

98 7019

Identification No. 987019
Permit No. 987019

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JUN 3 1971 ✓

1. a) Name of Permit Holder Curley Creek Water Association
b) Post Office Address Moyie Springs, Idaho
2. Permit Number 987019
3. Date of Priority that you are prepared to establish Started using water Dec 5, 1969
4. a) Source from which water was appropriated Spring
b) Location of the point of diversion: NE 1/4 NW 1/4, Section 22
Township 62 N, Range 3 E Boise Meridian, Other points of diversion: Boundary County

5. a) The amount of water and use to which the water has been applied:
amount .2 cu. ft. per sec. for Domestic purposes from 1-1 to 12-31 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, .2 cu ft per sec. 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: Capacity of pump - 100 gal per minute

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: We own The system. Each member pays an equal share of ANNUAL FHA pmt + MAINTENANCE

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) Pump house, to storage tank - 30,000 gal. Gravity to users.

b) Describe the type and size of measuring device which you have installed at your point of diversion: capacity of pump, 5 H.P. 100 gal per min.

c) Give well drillers name and address and date the well was completed None

Withdrawn
see ltr of 12-27-71 in file
ds

98 7019

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use all domestic, no irrigation
10 families using water at present
for domestic purposes.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: none

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	

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.

5/17/71
 (Date)

Delbert G. Kudlow
 (Signature)

State of Idaho)
 County of Bannock) ss.

On this 17 day of May, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Frank D. Mendez
 Notary Public residing at Bannock County Idaho

My commission expires 1-1-75

November 23, 1970

Re: Permit No. 98-7019

Mr. Delbert Hudlow, President
Curley Creek Water Association
Moyle Springs, Idaho 83845

Dear Mr. Hudlow:

We are enclosing a beneficial use form and a set of instructions for your use in
completing your permit.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: beneficial use form and instructions

98 7019

Mojie Springs Idaho

Oct. 20 1970

State of Idaho Dept of Reclamation,
Boise Idaho.

Dear Sirs:- The Curley Creek Water Assoc.
has met the requirements specified
in the temporary permit No 98-7019
and the water system has been serving
its members for nearly a year.

We would like to get our Permanent
permit now.

Would like to have the forms required
and instructions as to what is needed
to get the Permanent Permit,

Respectfully
Elbert Hudlow. President
Ina Carrithers Sec.

98 7019

December 23, 1969

Re: Permit No. 98-7019

Curley Creek Water Association
Moyle Springs,
Idaho 83845

Gentlemen:

We enclose a copy of your approved application for permit 98-7019 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, ~~Assistant~~ Deputy
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
1 informational letter
Receipt No. 3716 for \$10

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

cc. Nixon & Nixon
Attn: W. W. Nixon
P. O. Box 368
Bonners Ferry, Idaho 83805

98-7019

Bonniers Ferry Herald

Printers and Publishers

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

IN SCENIC NORTHERN IDAHO • IN THE FERTILE KOOTENAI RIVER VALLEY

BONNERS FERRY, IDAHO

November 17, 1969

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Attention: Donald W. McEldowney

Re: Application for Permit No. 98-7019 - Curley Creek Water Assn.

Dear Sir:

The above mentioned legal notice was killed out last week by mistake. We are sorry this happened and will run the notice again this week, Nov. 20 and next, Nov. 27 to make the two consecutive weeks of publication.

I hope this is satisfactory. If not please notify us as to what you would have us do.

Sincerely,

THE BONNERS FERRY HERALD
by (Mrs.) Ruth Hoglan

Mrs. Ruth Hoglan



98-7019

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Curley Creek Water Association, Movie Springs, Idaho, has on October 13, 1969, applied for permit under application No. 98-7019 to divert 2 cubic feet per second of water from an unnamed spring. Water will be diverted by pump, storage tank and pipe within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 22, T. 62N, R. 3E, B.M. Boundary County and is to be used from January 1 to December 31 for domestic purposes in Sections 15, 16, 17, 20, 21, 22, 27, 23 and 34, T. 62N, R. 3E, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on November 6 and November 13, 1969.

October 29, 1969

Re: Application for Permit No. 98-7019 - Curley Creek Water Assn.

Bonniers Ferry Herald
212 Main
Bonniers 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

98-7019

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Curley Creek Water Association, Moyie Springs,
Idaho, has on October 13, 1969,
98-7019
applied for permit under application No. _____
to divert ////// .2 cubic feet per second //////
an unnamed spring
of water from _____.
Water will be diverted by pump, storage tank and pipe

within the NE 1/4 NW 1/4 of Sec. 22, T. 62N, R. 3E, B.M., Boundary County

and is to be used from January 1 to December 31 for domestic purposes

in the Sections 15, 16, 17, 20, 21, 22, 27, 28 and 34, T. 62N, R. 3E, B.M.

Any protest against this application must be filed with the Department
of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho,
on November 6 and November 13, 1969

x.4.

98-7019

NIXON & NIXON

ATTORNEYS AT LAW

P. O. BOX 368

OFFICES 225 MAIN STREET
BONNERS FERRY, IDAHO 83805

ANDREWS 7-3133

W. J. NIXON

W. W. NIXON

JAMES F. LYONS

October 9, 1969

Mr. Donald W. McEldowney
Appropriation Examiner
State of Idaho
Department of Reclamation
Statehouse--Annex 2
Boise, Idaho 83707

Re: Curley Creek Water Assn.
Boundary County, Idaho

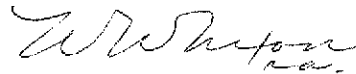
Dear Sir:

Thank you for your letter of September 24, with the new Water Applications. This application has been completed and signed by Delbert G. Hudlow, and our check #8234 in the amount of \$10.00 is herewith enclosed.

Thank you for your attention in this matter.

Very truly yours,

NIXON & NIXON



W. W. Nixon

na
Encls.

92-7049

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707
September 24, 1969

Re: Gurley Creek Water Assn., Inc.
Application for Permit

W. W. Nixon
c/o Nixon and Nixon
Attorneys-At-Law
P. O. Box 368
Bonners Ferry, Idaho 83805

Dear Mr. Nixon:

We are returning your department's check in the amount of \$10 and the Application for Permit.

Please be advised the form you have submitted is no longer acceptable for applications. As the Idaho statutes were amended in 1967, we will require additional information. We have taken the liberty of transposing part of the information to our new application form. We are enclosing an instruction sheet for your use in completing the application. We also request that you destroy any of the copies of the old form that you have and replace them with the ten application forms we are enclosing.

If we can be of further assistance please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:sc
Enc. Check
Applications for Permit
Instruction Sheet

98-7019

NIXON & NIXON

ATTORNEYS AT LAW

P. O. BOX 368

OFFICES 225 MAIN STREET

BONNERS FERRY, IDAHO 83805

ANDREWS 7-3133

W. J. NIXON

W. W. NIXON

JAMES F. LYONS

September 12, 1969

Idaho Department of Reclamation
Room 107
State House
Boise, Idaho 83701

Re: Curley Creek Water Assn. Inc.
Application for Permit

Dear Sir:

Enclosed herewith please find executed "Application for Permit", for the Curley Creek Water Association, Inc., along with this office's check #8234 in the sum of \$10.00, application fee.

Thank you for your attention in this matter.

Very truly yours,

NIXON & NIXON


W. W. Nixon

ra
Encls.

92-7019