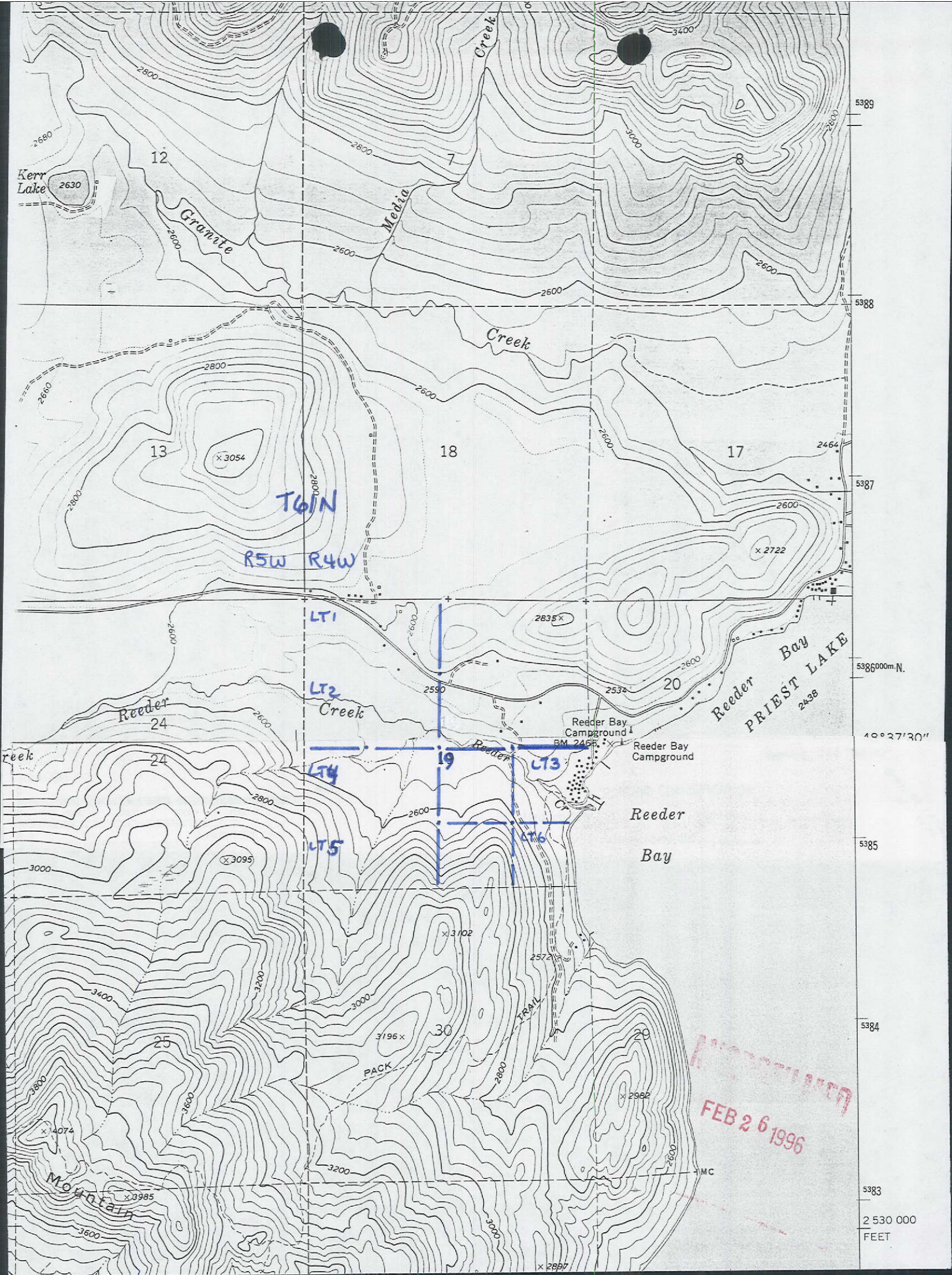




5389

5388

5387

5386000m N.

10°27'30"

5385

5384

5383

2 530 000
FEET

FEB 26 1996

NATIONAL

REEDER

BAY LOTS

Pool's Reeder Tract

Selected

Creek

Tract C
Unlisted

Tract A
No. 773
Acres

H.E.S. 19.19
Tract B

FOREST

N. ROAD EXHIBITING TRACT C

2	3	A. 10°07'W	7.62
3	4	A. 7°20'N	1.19
4	5	A. 60°11'W	2.89
5	10	S. 0°15'W	0.576
10	11	S. 60°11'E	2.32
11	12	S. 3°26'E	4.25
12	7	S. 10°07'E	8.12
7	2	N. 0°21'E	0.532

Containing 0.79 Acres of Unlisted Land.

WELL SITES

Offered

6
29.30

REEDER BAY
PRIEST LAKE

74.75
S 89° 54' E

Retracement N 89° 54' E 35.55

1886

REEDER CREEK

773
H.E.S.
COR. N#7

DRAINFIELD FOR
TAX 14 & 15

EXIST. RECORD OF
SURVEY LOT LINE
RECORDED BY ROBERT
G BRISTOL 6-20-84
(LOTS (B-1 THRU B-5))

EXISTING PUBLIC
ROADWAYS

EXISTING
WELL FOR
COMMUNITY
WATER SYSTEM

SANITARY
SET BACK

WELL SITE

PROPOSED
30' ACCESS
EASEMENT
FOR LOT 13

EXIST. 15' WALKWAY
& UTILITY
EASEMENT

H.E.S.
COR. N#9

H.E.S.
COR. N#8

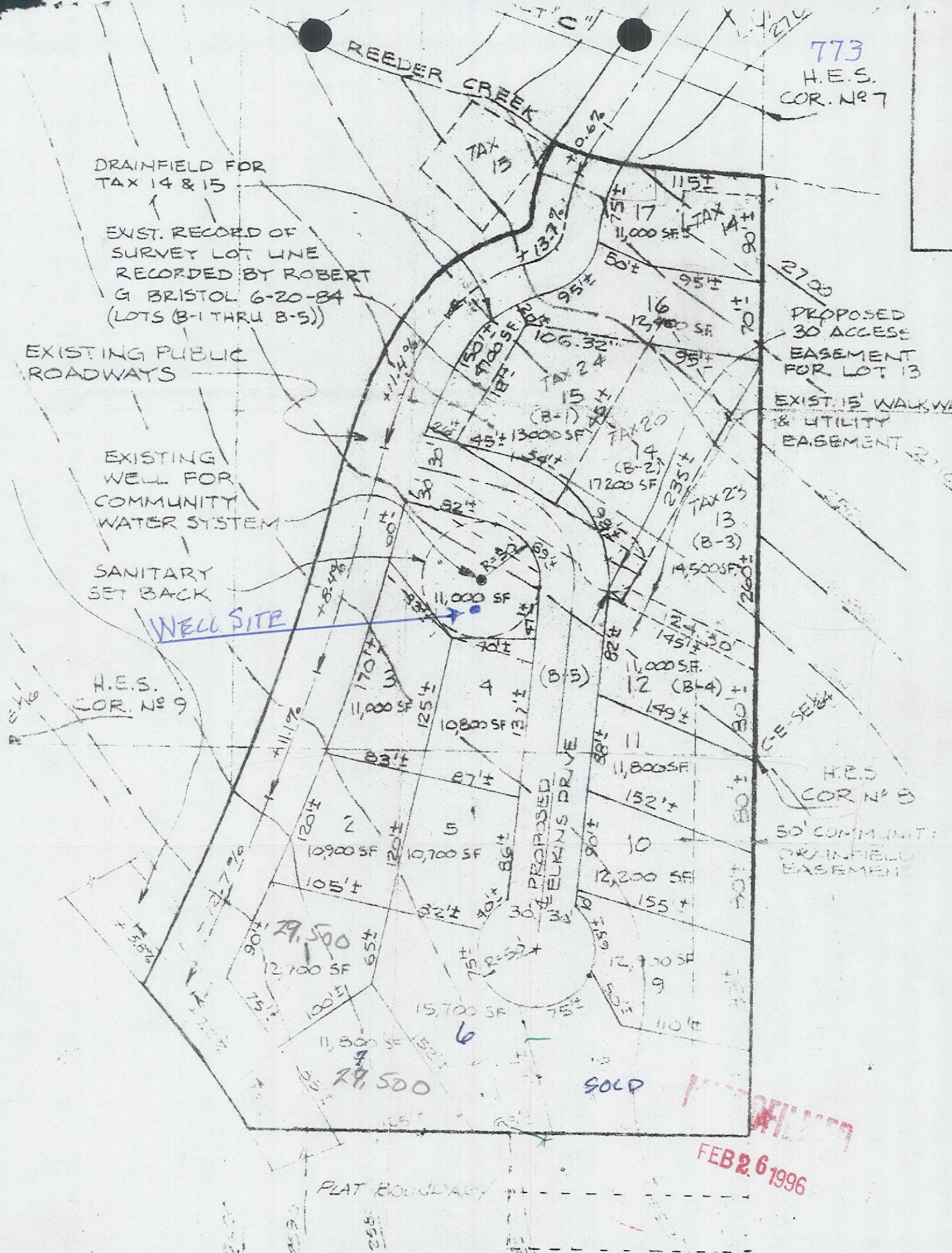
50' COMMUNITY
DRAINFIELD
EASEMENT

PROPOSED
EULIN DRIVE

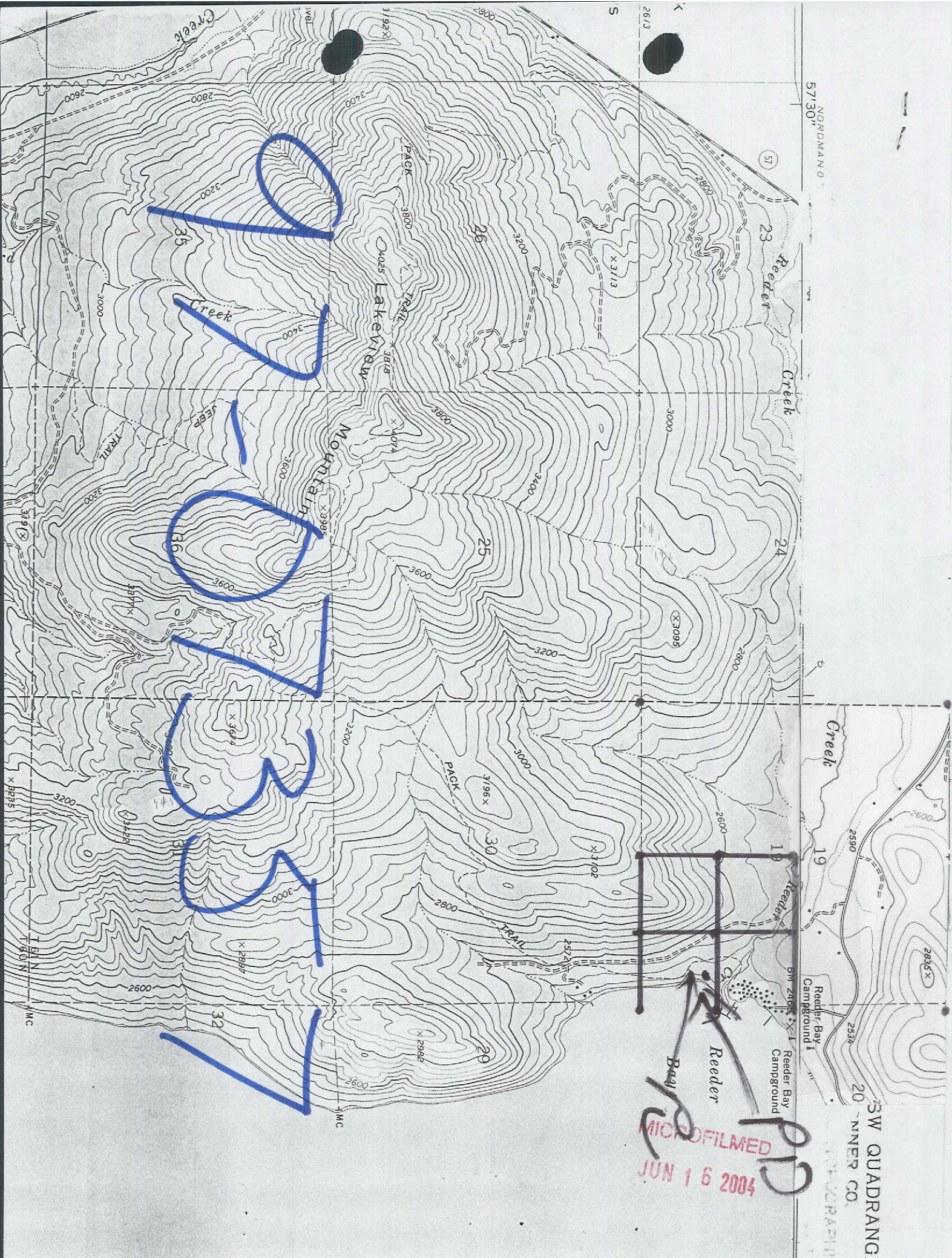
SOLD

FEB 26 1996

PLAT BOUNDARY



NORMAND 5730"

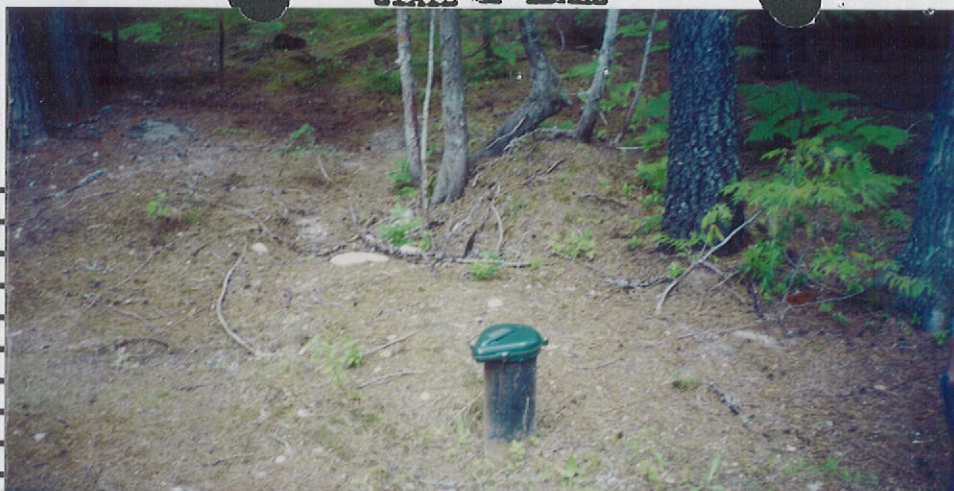


SW QUADRANGLE
20 NNER CO.

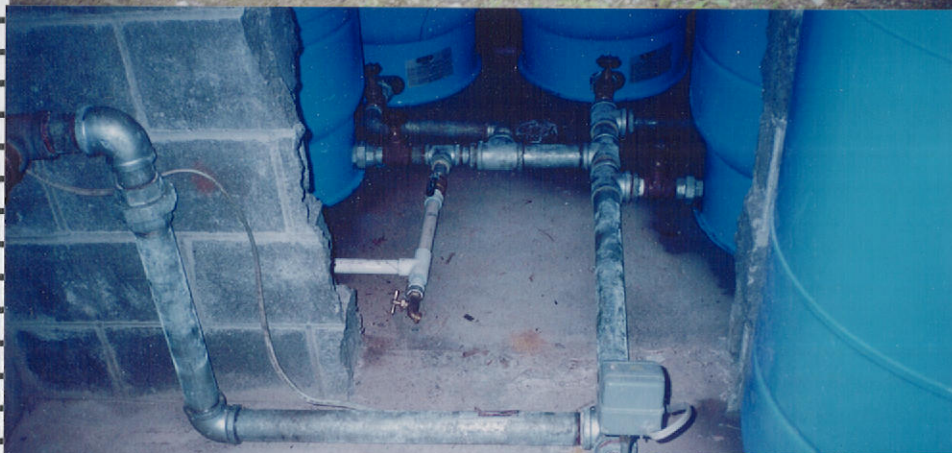
MICROFILMED
JUN 16 2004

PD

92-02357



PO



Pump house



occupied
Cox



un-occupied
Cox

MICROFILM
JUN 15 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 28 2003

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
97-07357					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**,
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

ALBERT ELKINS
P.O. Box 2

4. New Owner/Claimant(s)

WORDMAN, IDAHO 83848-0002
ELKINS REEDER TERRACE UTILITY ASSN.
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or CALLIE S MOORE

New Mailing Address

204 EAST 10TH

City, State and ZIP Code

RITZVILLE, WASHINGTON 99169
(SEC-TREASURER)

New Telephone Number

(509) 659 1513

5. Date you acquired the property

07/01/02

MICROFILM

JUN 16 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Robert Miller, President
(include title if applicable) Elkins Reeder Terrace Utility Assn.

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by J. MasiDate 4.28.03Fee \$25.00Received by J. MasiDate 4.28.03Receipt No. C068793

MICROFILMED

Processed by J. Masi

AJ

Date

WR

Date

JUN 16 2004

RECEIVED

DEC - 4 2003

Department of Water Resources

After Recording Return To:

LAMANNA LAW FIRM
P.O. Box 789
Priest River, ID 83856

FILED BY
Lamanna Law Firm
2003 OCT 22 A 10:57
600

PAID
BONNER COUNTY RECORDER

PS DEPUTY
2

636943

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT the Grantor, ALBERT L. ELKINS, FOR A VALUABLE CONSIDERATION does hereby grant, bargain, sell and convey unto the **ELKINS REEDER TERRACE UTILITY ASSOCIATION**, the Grantee, the following described water in Bonner County, State of Idaho, to wit:

Water Right 97-7357

TOGETHER WITH all and singular, the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining.

AND, the above named Grantor hereby covenants that the above described premises are free from encumbrances and that he and his heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands, except current taxes, easements, restrictions, covenants, reservations, exceptions and rights of way of record and view.

DATED this 16 day of October, 2003.

Warranty Deed

Page 1

MICROFILMED

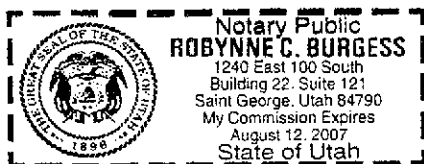
JUN 16 2004

Albert L. Elkins
Albert L. Elkins

STATE OF Utah,)
:ss
County of Washington

On this 16th day of October, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared **Albert L. Elkins**, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Robynne C. Burgess
Notary Public- State of Utah
Residing at Washington Co., therein.
My commission expires: 8/12/07.

RECEIVED

JUN - 3 2003

Department of Water Resources

Attn: Kari Lynn
Dept of Water Resources
1301 No Orchard Street
Boise, Idaho 83706-1237

I, Albert L. Elkins, do hereby
wish to transfer my water
right # 97-7357 to the Elkins
Reeder Terrace Utility Association,
as of June 1st, 2003 to Gil Miller,
President of the E.R.T. U.A.

Albert L Elkins
P.O. Box 2
Nordman, Idaho
83848

MICROFILMED

JUN 16 2004

208 443 6002
summer phone

Gil Miller
209-9667860

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 97-07357

Priority: May 18, 1995

Maximum Diversion Rate: 0.14 CFS
Maximum Diversion Volume: 14.1 AF

It is hereby certified that ALBERT L ELKINS
PO BOX 2
NORDMAN ID 83848-0002 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 18, 1995; and has
submitted Proof of Beneficial Use on July 21, 1999. An examination indicates that the works have a
diversion capacity of 0.14 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.05 CFS	5.1 AF
DOMESTIC	01/01 to 12/31	0.14 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L6 (NE $\frac{1}{4}$ SE $\frac{1}{4}$) Sec. 19, Twp 61N, Rge 04W, B.M. BONNER County

PLACE OF USE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
61N	04W	19																	

Total Acres: 1.7

PLACE OF USE: DOMESTIC – Same as Irrigation

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
2. Domestic use is for 15 homes and does not include lawn, garden, landscape, or other types of irrigation.
3. Point of diversion is located within Elkins Reeder Terrace Subdivision.
4. Place of use is located within Lots 1-17, Elkins Reeder Terrace.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 30TH day of JANUARY, 2003.

MICROFILMED
JUN 15 2004

Acting for

KARL J. DREHER
Director

JUL 21 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 97-07357 Telephone No. 208-443-6002

2. Name(s) of Permit Holder(s): ALBERT L. ELKINS

3. Mailing Address: P.O. Box 2 NORDMAN, ID. - 83848

4. Source of Water: WELL If GROUNDWATER (well), Date Drilled: mo. 8 / yr. 1995

a. Well Driller: H2O Drilling Permit Number: 97-95-N-39

b. OPTIONAL:
Pump Horsepower: 54 P Pressure (psi): 60 PSI Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): ✓ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): ✓ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: _____ cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No _____

Has the measuring device been installed? Yes _____ or No _____

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No _____

Has the measurement port been installed? Yes _____ or No _____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: ALBERT L. ELKINS Telephone Number: 208-443-6002

Address: P.O. Box 2 NORDMAN, ID - 83848

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

FEB 04 2000

Signature of permit holder: Albert L. Elkins Date: 7-10-99
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 97-07357

Proposed Priority: May 18, 1995

Maximum Diversion Rate:

0.18 CFS

This is to certify, that **ALBERT L. ELKINS**

PO BOX 2

NORDMAN ID 83848-0002

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.06 CFS
DOMESTIC	01/01 to 12/31	0.18 CFS
	Totals	0.18 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 6 (NESE), Sec. 19, Township 61N, Range 04W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
61N	04W	19	Lot 3(NESE) 1.0	Lot 6(SESE) 1.0		2.0

Total number of acres irrigated: 2.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1999**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Construction of the well must comply with Idaho well construction standards.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
7. Place of use is located within Lots 1-17, Elkins Reeder Terrace.
8. Domestic use is for 15 homes.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

APPROVED

FEB 26 1996

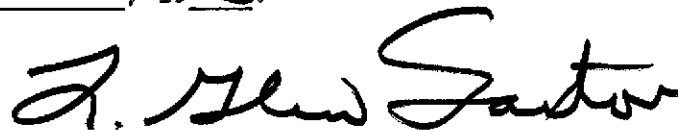
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 97-07357

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

25th day of July, 1995.



Karl J. Dreher, Director

for

FEB 26 1996

Ident. No. 97-7357STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant ALBERT L. ELKINS Phone 208-443-2435
Post office address P.O. Box 2 NORDMAN, IDAHO - 83848
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is NE 1/4 of SW 1/4 of SE 1/4, Govt. Lot 6
Sec. 19 Township 61 N Range 4 W B.M. BONNER County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.18 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for IRRIGATION purposes from 3/15 to 4/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.18 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. SUBMERSIBLE PUMP 3 H.P.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 6 inches; proposed depth of well is 100 feet.
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? NO; Drilling firm CARL PITTS & SONS;
Well was drilled for (well owner) YES
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
5 years (minimum 1 year).

FEB 26 1996

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. NO
- b. Stockwatering; list number and kind of livestock. NO
- c. Municipal; show name of municipality. NO
- d. Domestic; show number of households. 15
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
61N	4W	19													6.4.3 D			6.4.4 D	
61N	4W	19													1			1	2

Total number of acres to be irrigated 2

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? ALBERT L. ELKINS

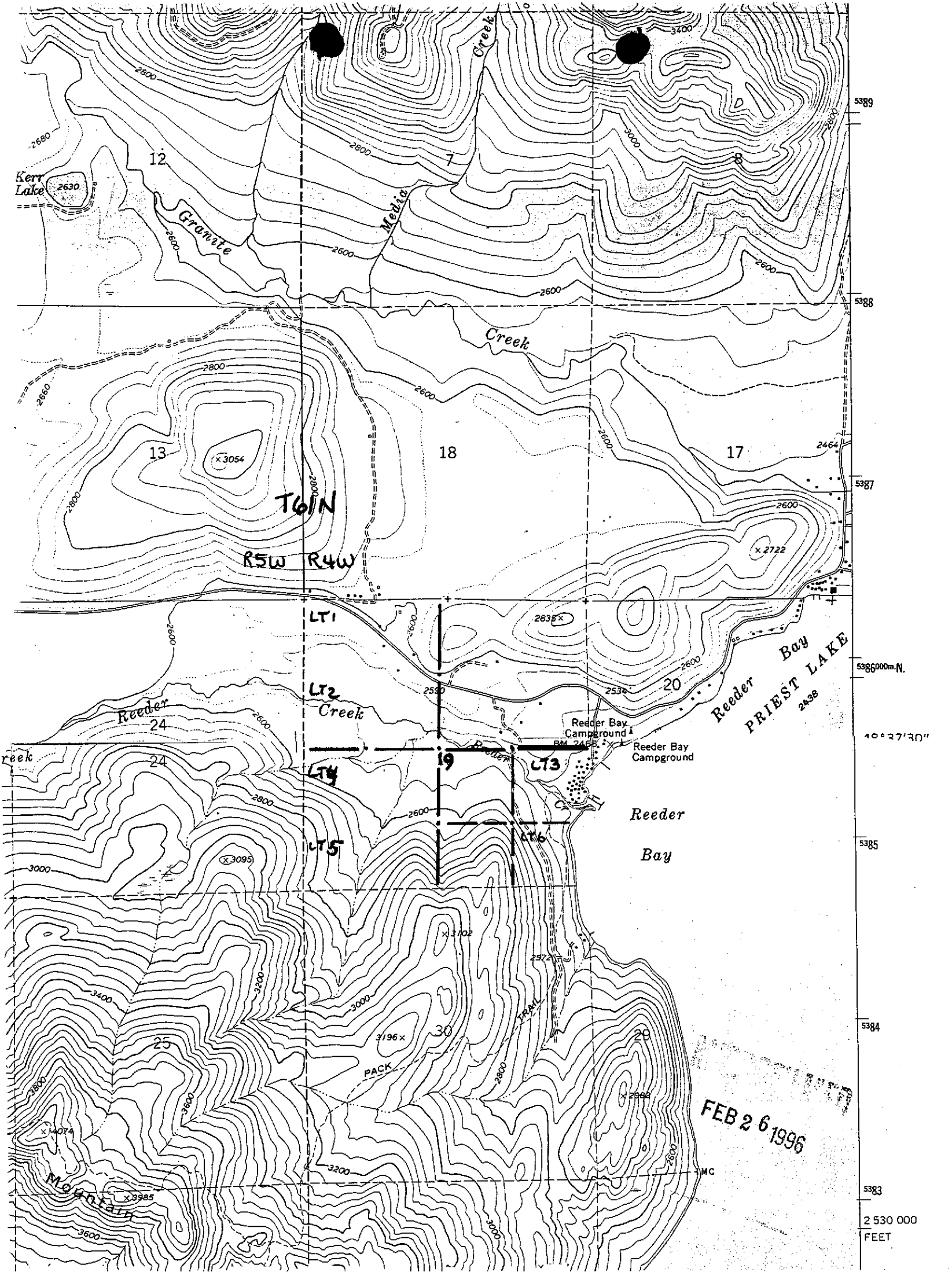
b. Who owns the land to be irrigated or place of use? ALBERT L. ELKINS

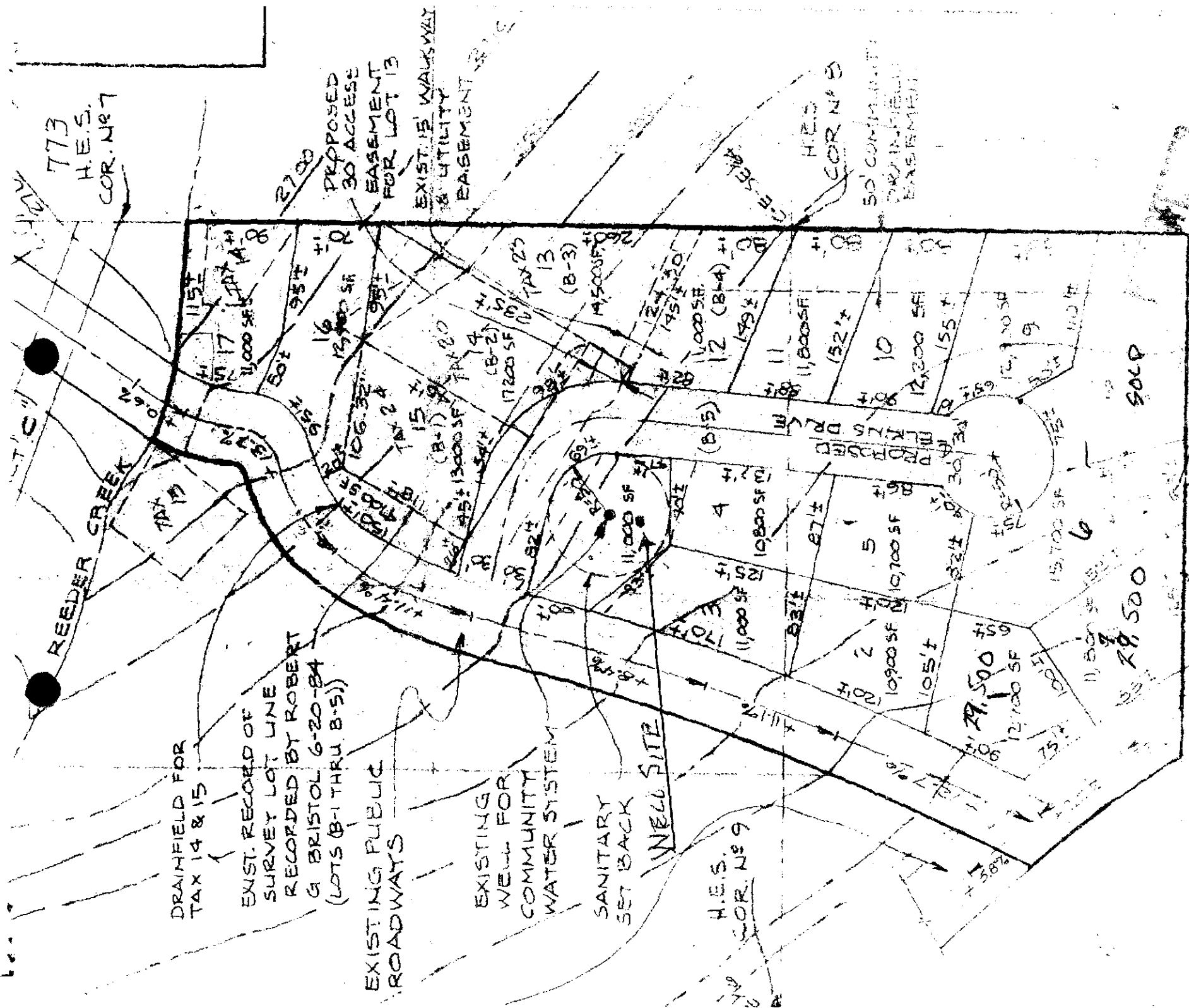
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

FEB 26 1996

* 5/22/95 I SPOKE WITH AL ELKINS TO VERIFY THAT HE WAS NOT IRRIGATING MORE THAN 1/2 ACRE OF LAWN & GARDEN (WHICH HE WAS NOT) HE ALSO SAID TO CHANGE LEGAL DESCRIPTION OF P.O.D. + ADD P.O.D. FOR TRACT MARKED ON SECTION MAP (WHICH I DID.) AB





773
H.E.S.
COR. N#7

DRAINFIELD FOR
TAX 14 & 15

EXIST. RECORD OF
SURVEY LOT LINE
RECORDED BY ROBERT
G. BRISTOL 6-20-84
(LOTS B-1 THRU B-5)

EXISTING PUBLIC
ROADWAYS

EXISTING
WELL FOR
COMMUNITY
WATER SYSTEM

SANITARY
SET BACK

WELL SITE

772
H.E.S.
COR. N#9

PROPOSED
30' ACCESS
EASEMENT
FOR LOT 13

EXISTING 15' WALKWAY
& UTILITY
EASEMENT

771
H.E.S.
COR. N#5

50' COMMUNITY
DRAINFIELD
EASEMENT

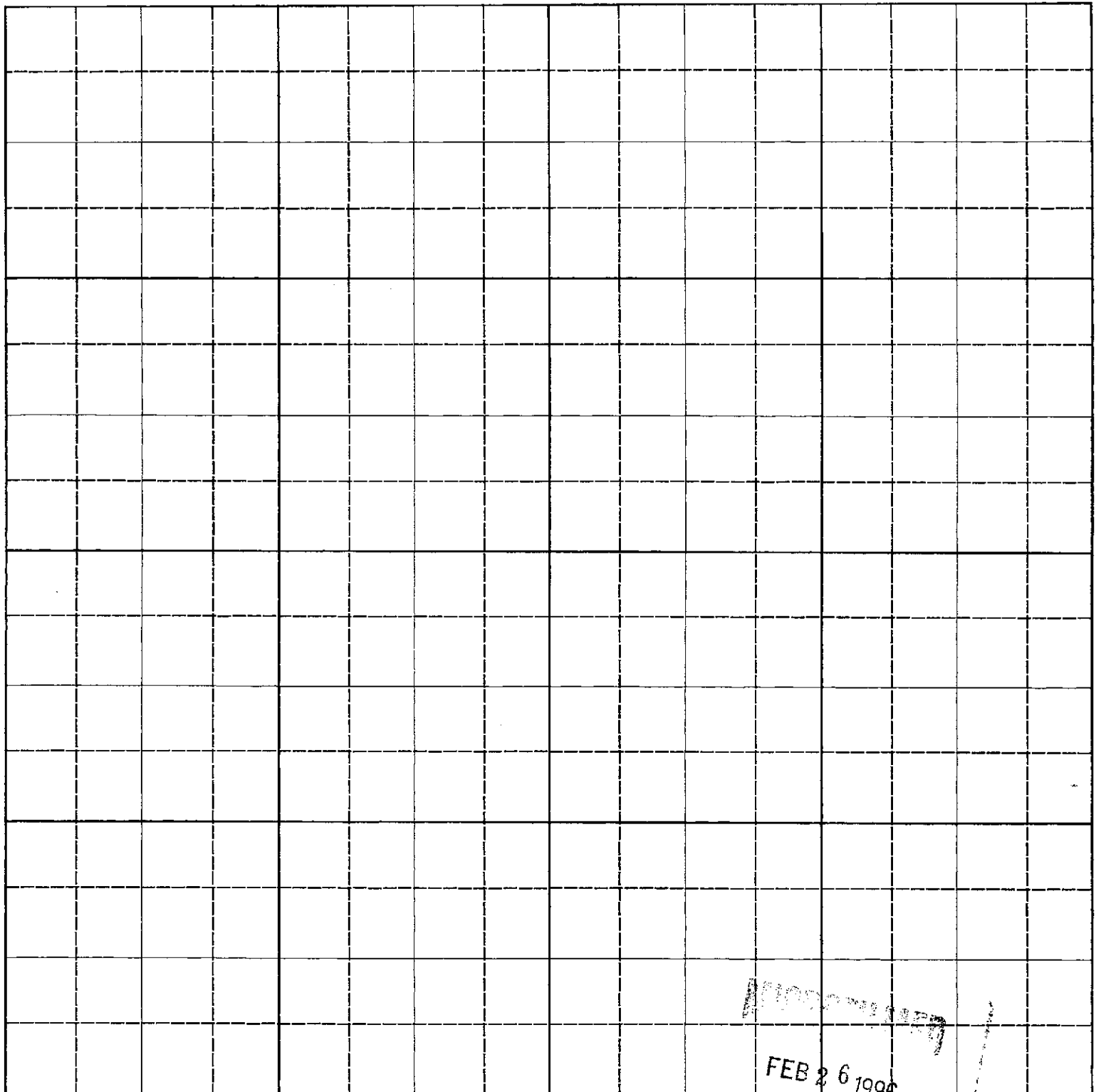
SOLD

29,500

FEB 26 1996

PLAT BOUNDARY

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



APPROVED

FEB 26 1998

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.

Albert L. Elkins
(Applicant)

Received by db Date 5/18/95 Time 2:50 Preliminary check by AS
Fee \$ 50.00 Received by db # N008944 Date 5/18/95
Publication prepared by db Date 5/31/95 Published in Idaho Press & Review Times
Publication approved db Date 7/5/95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECEIVED
FEB 26 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 17, 2003

ELKINS REEDER TERRACE UTILITY ASSN
CALLIE S MOORE
204 EAST 10TH
RITZVILLE WA 99169

RE: Change of Ownership for Water Right 97-7357

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee as well as copies of the Declaration of Restrictive Covenants; Water, Sewer & Roadway Agreement and correspondence from Lamanna Law Firm.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

JUN 15 2004

RECEIVED

DEC - 4 2003

Department of Water Resources

LAMANNA LAW FIRM

Attorney and Counselor at Law

NICK M. LAMANNA

Esther L. Cox, Office Manager

Priest River Professional Center
102 9th Street • P. O. Box 789
Priest River, ID 83856
(208) 448-1221
Fax: (208) 448-1314
Web site: www.lamannalaw.com

Tuesday, December 02, 2003

Kari Lynn Townsend
Idaho Department of Water Resources
Post Office Box 83720
Boise, Idaho 83720-0098

Re: Transfer of Ownership for Water Right 97-7357

Dear Ms. Townsend:

Enclosed you will find a copy of the recorded Warranty Deed which transfers the above-noted water rights from Albert L. Elkins to Elkins Reeder Terrace Utility Association.

If you should have any questions please do not hesitate to contact me.

Very truly yours,

LAMANNA LAW FIRM


Wenona Mundy

Secretary

/wm

MICROFILMED

JUN 16 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 15, 2003 10.24.03

COPY

ALBERT L ELKINS
PO BOX 2
NORDMAN ID 83848

RE: Change of Ownership for Water Right 97-7357

Dear Mr. Elkins:

This letter is written to facilitate a request for a change of ownership on the water right referenced above.

The Department's legal counsel advised that some type of deed, preferably a warranty deed or a bargain & sale deed will be required to complete the ownership change from Albert Elkins to the Elkins Reeder Terrace Utility Association. The document should convey title from Elkins to the Association to the water under water right 97-7357, the water associated with the Elkins Reeder Terrace Subdivision.

If you have any questions regarding this matter, please call me at 208-327-7941. You may reach John Homan at 208-327-7924.

Sincerely,


Kari Lynn Townsend
Secretary

KLT:k

cc: Gil Miller
6505 W. Yakima Ave
Yakima, WA 98900

*Gil - This is sent to you
to let you know that
we have had NO response
to this letter from Mr. Elkins.
Kari Lynn Townsend
10.24.03
208-327-7941*

MICROFILMED

JUN 16 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 15, 2003

ALBERT L ELKINS
PO BOX 2
NORDMAN ID 83848

RE: Change of Ownership for Water Right 97-7357

Dear Mr. Elkins:

This letter is written to facilitate a request for a change of ownership on the water right referenced above.

The Department's legal counsel advised that some type of deed, preferably a warranty deed or a bargain & sale deed will be required to complete the ownership change from Albert Elkins to the Elkins Reeder Terrace Utility Association. The document should convey title from Elkins to the Association to the water under water right 97-7357, the water associated with the Elkins Reeder Terrace Subdivision.

If you have any questions regarding this matter, please call me at 208-327-7941. You may reach John Homan at 208-327-7924.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

cc: Gil Miller
6505 W. Yakima Ave
Yakima, WA 98900

MICROFILMED

JUN 16 2004

509-966-1860

A note from
Gilbert Miller

3/11/03

Kau Lynn,

Thanks for your
help - We hope include
info - will get you
what you need.
Also, will page one of the
Covenants act as the needed
legal descriptions for the
item (B) of the questionnaire?
Your help is appreciated!

Sincerely,

Gil Miller

MICROFILMED
JUN 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2003

ALBERT L ELKINS
PO BOX 2
NORDMAN ID 83848-0002

RE: License No. 97-7357 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JUN 16 2004

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

97-7357

**ALBERT L ELKINS
PO BOX 2
NORDMAN ID 83848-0002**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUN 16 2004**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: January 27, 2003
To: Water Right File 97-7357
From: S. Keen
Re: Licensing Review

Licensing Review by S. Keen on 1/27/2003.

IRRIGATION PLACE OF USE

The examiner described the irrigated place of use as 0.1 acres per subdivision lot. I assigned 0.9 acres to govt. lot 6 because 9 lots are there and 0.8 acres to govt. lot 3 because 8 lots are there.

VOLUME FOR DOMESTIC USE

The volume for domestic purposes is being recommended at the standard 0.6 af per home for in-house use.

NUMBER OF HOMES

Although there are 17 lots in Elkins Reeder Terrace, the permit was for 15 homes because lots 3 & 4 are in common ownership and have one home and lots 16 & 17 are in common ownership with one home.

DIVERSION RATE

The examiner used a lift of 135 for his theoretical calculation of the diversion rate. The well is only 120 feet deep. Therefore, I have adjusted the recommended diversion rate to 0.14 cfs.

MICROFILMED

JUN 15 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 28 2000
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 97-07357

1. Owner: Albert L. Elkins Phone No. (208)-443-6002

Current Address: P.O. Box 2, Treadman Id., 83848

2. Accompanied by: Albert Elkins EXAM DATE: 6-22-00

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	06		NE	SE	19	61N	04W	Bonner	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

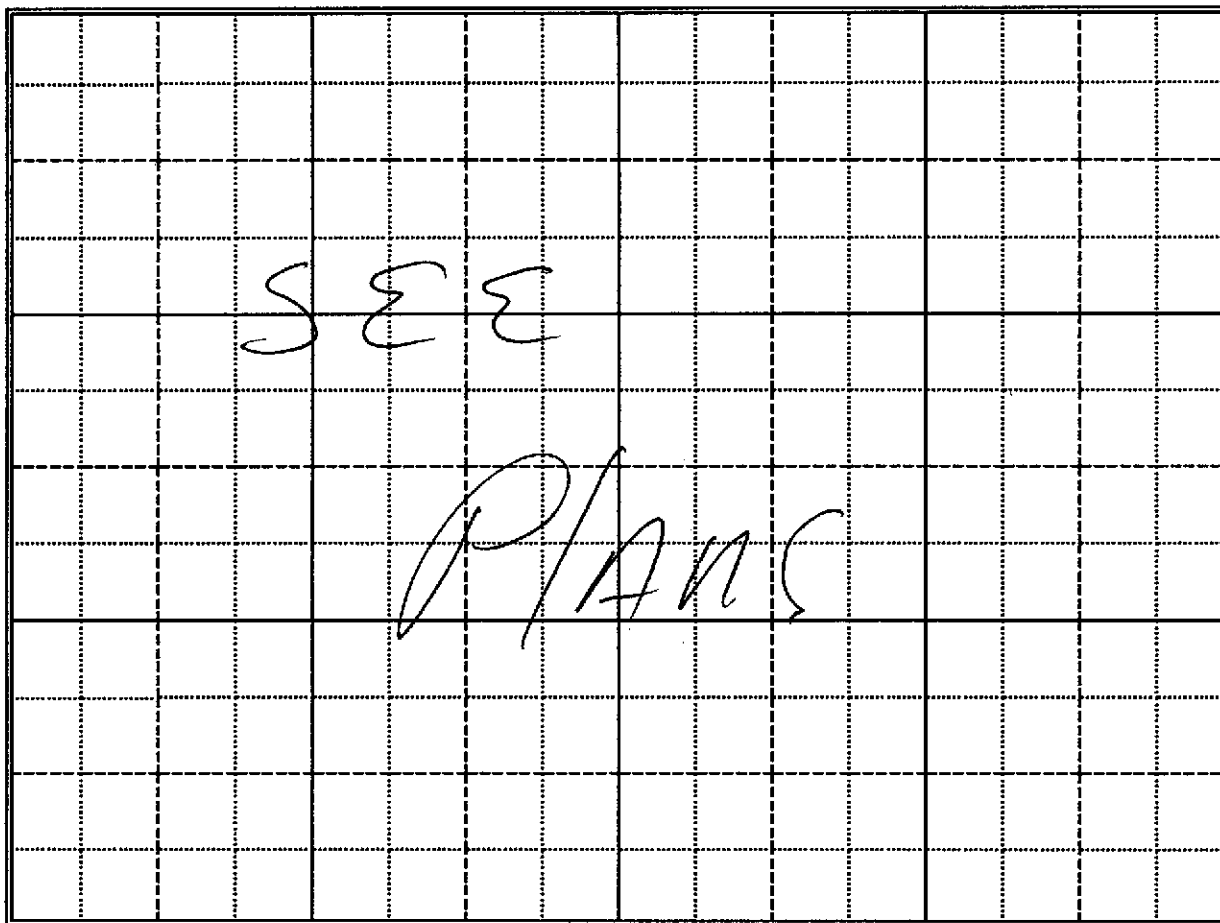
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
61N	04W	19													03-09		06-08		1.7

MICROFILMED

JUN 15 2004

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	5	2821139310	Sub	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

MICROFILMED

JUN 16 2004

E. NARRATIVE/REMARKS/COMMENTS

There are a total of 17 lots, 4 of these are currently occupied. The un-occupied lots are Subdivided.

Through a conversation with Mr. Elkins at time of exam negotiation was figured at .1 acre per lot.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

JUN 15 2014

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\text{Theoretical } \frac{8.8(5)(67)}{135 + (2.31 \times 50)} = \frac{30.8}{250.5} = .12 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.7 \times 3 = 5.1$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .12 \times 245 \times 1.9835 = 5.8$$

$$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} = 5.1$$

2. Volume Calculations for Other Uses:

$$\text{Domestic } 1.2 \times 17 = 20.4 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01-01	12-31	.12	20.4
Irrigation	03-15	11-15	.12	5.1
Totals:			.12	25.5

2. Recommended Amendments

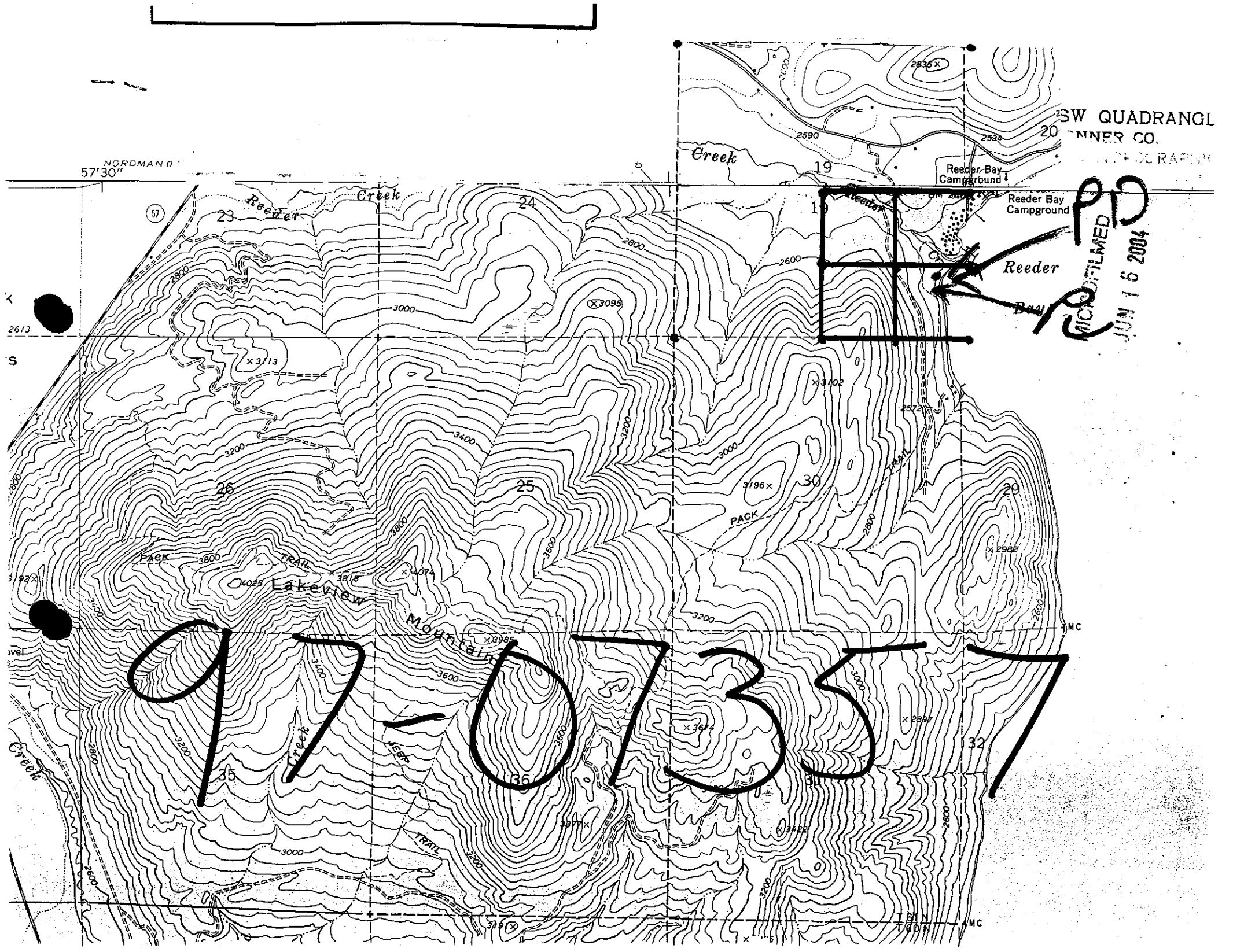
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Wayne Baldwin Date 7-25-00

Reviewer _____ Date _____

MICROFILMED
JUN 16 2004
SEAL



SW QUADRANGLE
INNER CO.
TOPOGRAPHIC

MICROFILMED
JUN 16 2004

97-07357



97-07357

92

Penelope

occupied
lot

Lot 7
X-1-330-2-2

MICROFILMED
JUN 1 9 2004

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

North Orchard Street
Boise, Idaho 83706-2237

RECEIVED

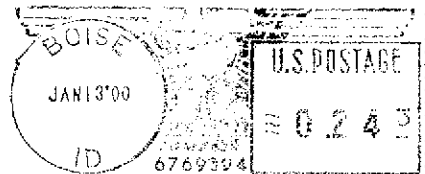
JAN 24 2000

Department of Water Resources

*Permit 97-07357
1.28.00 - Mail Permit*

RETURN SERVICE
REQUESTED

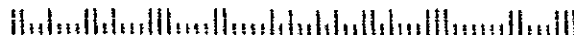
POSTNET
FIRST CLASS



MICROFILMED
FEB 04 2000

ELK 1002 6840 CAMINO BLANCO 1499 07 01/14/00
RETURN TO SENDER
ELKINS
6840 CAMINO BLANCO
LAS CRUCES NM 88005-4969

WA
83706-2237





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALBERT L ELKINS
PO BOX 2
NORDMAN ID 83848

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07357

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur D'Alene at (208) 769-1450.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED
FEB 04 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 97-07357 Reviewed by VH Date 01-12-00

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

I & D
yes Correct Uses?

SOURCE OF WATER

✓ Surface water source
Ground water source
Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>/</u>	<u>/</u>
Date proof due	<u>/</u>	<u>/</u>
No. of days late	<u>/</u>	<u>/</u>
Priority Date	<u>/</u>	<u>/</u>
New Priority Date	<u>/</u>	<u>/</u>

DEFICIENCIES OR ACTION ITEMS

None - ack proof

DATA ENTRY

New Address / Proof Made 7-21-99

May 31, 1999

ALBERT L ELKINS
PO BOX 2
NORDMAN ID 838480002

PROOF DUE NOTICE

RE: PERMIT NO. 97-07357

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

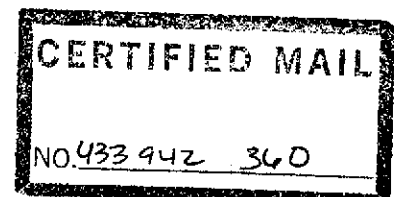
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

FEB 04 2000



FORWARD WHITE COPY TO WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 1995

ALBERT L. ELKINS
PO BOX 2
NORDMAN ID 83848-0002

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07357

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

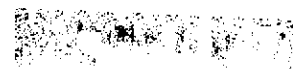
If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures



FEB 26 1996

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 97-7357 Name: Elkins Date: 7/24/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: N08944 Priority: 5/18/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 6A-P17

GROUNDWATER: <☒ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. (POU cmp) - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 46-4B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <☒ FLO-CH> (Surface water that doesn't sink):

Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08
=/- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - 028(may report) (POU cmp)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(consump. use), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R + L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr =/- 5 acres - 57 (0.03 cfs/A) <DO POU COMPARISON>
+ 5 acres - 03A (0.02 cfs/A) <DO POU COMPARISON>
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(☒ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

① WBS/15 ② Pu ~ Lt 1-17, Elkins Reader Terrace

BENEFICIAL USE DUE:

8-1-1995

COMMENTS:

RECEIVED
JUL 20 1995

U.S. DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SHEET

APPLICATION # 97-7357

***** INITIAL REVIEW *****

Department of Water Resources

ELKINS

BY: AB

DATE: 5/18/95

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other Water Rights
11. (X) Ownership
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowledgment)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- X Field check: by _____
X Field report attached
X Analysis Supp. attached(>5cfs/500af)
X Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 5/18/95

X (Include Moratorium Remark)

X Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).
PT. 1/4
OK

ADVERTISE IN: BANNER County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

- X Groundwater management area
X Critical ground water area
X Well Drilling Permit required
X Well Drilling Application and Fees received
X Well Drilling Application approved?
Well Drilling Application Number 97-95-N-39

Checked by: _____

Date: ____/____/____

Remarks: RECEIPT # N-8744

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- 7/5 Notice of pending void order issued. Final order response date: ____/____/____
7/5 Further information required from applicant
7/5 Affidavit of publication received
7/5 Application published correctly, If not, record action taken: _____
7/31 Publication dates and paper recorded on application | Sr. Agent initial _____
X Protests received. Final protest date: 6/26/95
X Measuring device required
X Measuring port required
X Special conditions: _____
X Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: RNA

Date: ____/____/____

SEE NOTES

5/23 HOLD APP

AL WILL SEND A COPY OF SURVEY. ADD ORIGINAL
WELL & MODIFY APP TO INCLUDE 15 HOMESITES.

5/22 CLARIFY PLACE OF USE

- LOTS 3 + 4 COMBINED
17 + 16 COMBINED
- 15 TOTAL DOMESTIC USES
- MINIMAL IRRIGATION - 1 ACRE IN
EACH GOV. LOT

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Darlene Bennett

being duly sworn, says that he is the Office Mgr

the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 70 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least six columns each, printed from typewritten or stereotyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

#1847 - Elkins

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 7th day of June, 1995 and ending on the 14th day of June, 1995 and that said notice was published in said newspaper.

On this 14th day of June in the year of 1995, before me, a Notary Public, personally appeared Darlene Bennett, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Linda Ramsey
Notary Public for Idaho

Residing at Priest River Id

My commission expires: 1999

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

97-07357

ELKINS, ALBERT L

P.O. BOX 2

NORDMAN, ID 83848

Source: GROUNDWATER

Diversion Pt: LOT 6 (NESE) Sec 19

T 61N R 04W in BONNER County.

Use: IRRIGATION (0.060 CFS)

DOMESTIC (0.180 CFS)

Total Diversion: (0.180 CFS)

Date Filed: 5/18/1995

In: BONNER County

T61N R04W S19 Lot 3 (NESE)

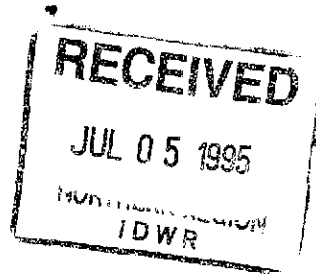
Lot 6 (SESE)

2.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JUNE 26, 1995.

KARL J. DREHER, Director
#1847 PRT June 7, 14, 1995



FEB 26 1996

May 31, 1995

Albert L. Elkins
P O Box 2
Nordman, ID 83848

Subject: Water Appropriation Application for Permit Number 97-07357

Dear Mr. Elkins:

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to appropriate the Public Waters of the State of Idaho. Enclosed is Receipt Number N008944. To assist us in providing you with prompt, accurate service, please refer to the above Application for Permit Number in all future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent
Enc. - Receipt

7/10/95

97-07357

ELKINS, ALBERT L
P O BOX 2
NORDMAN, ID 83848

Source: GROUNDWATER

Diversion Pt: LOT 6 (NESE) Sec 19 T 61N R 04W in BONNER County.

Use: IRRIGATION	(	0.060 CFS)
DOMESTIC	(	0.180 CFS)
Total Diversion:	(	0.180 CFS)

Date Filed: 5/18/1995

In: BONNER County
T61N R04W S19 Lot 3 (NESE) Lot 6 (SESE)

2.0 ACRES TOTAL

6/24/95

Old (D) Number -

State- ID Zip- 83848

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-	
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-	
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-	P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	00/00/0000	DLE/Carey Act	-	
Order Show Cause	-	00/00/0000	Receipt Number	-	N008944	Water District	-	
Licensed Date	-	00/00/0000	Appl Received	-	05/18/1995	Transfer/Amended	-	
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-	Y
Presumption Flag	-							