

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

being duly sworn, says that he is the Publisher
of 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 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general cir-
culation made up of at least eight pages of at least seven columns
each, printed from typematter 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

Dept. of Water Resources 97-7218, 97-7219

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 16th day of December, 1982,
and

ending on the 23rd day of December, 1982,
and that said notice was published in said newspaper proper, and
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

29 day of Dec, 1982

Adelle M. Thompson
Notary Public for Idaho,
Residing at Priest River, Idaho

APPLICATION FOR WATER RIGHT

The following applica-
tion(s) have been filed to ap-
propriate the public waters
of the State of Idaho.

97-7218

HARTT, GERALD &/or
FRANCES JEWEL
RT. 6 BOX 3, PRIEST
RIVER, ID 83856

Source: SPRING tributary
to PEND OREILLE RIVER

Date Filed: 12/02/1982

Amount: 0.14 CFS

Diversion Point: SESW Sec
18 T 56N R 04W, BONNER
Co.

Use: IRRIGATION (0.03
CFS) from 03/15 to 11/15

DOMESTIC (0.11 CFS) from
01/01 to 12/31

Place of Use: LOT 02 LOT 01
Sec 19 T 56N R 04W FOR 2
ACRES

Diversion Means: COLLEC-
TION BOX AND PIPE.

97-7219

ANDREWS, DONNA
TIBBETTS, SHARON
RT. 5 BOX DD, PRIEST
RIVER, ID 83856

Source: GROUNDWATER

Date Filed: 12/08/1982

Amount: 0.27 CFS

Diversion Point: NWSE Sec
18 T 57N R 05W, BONNER
Co.

Use: IRRIGATION (0.20
CFS) from 03/15 to 11/15

STOCKWATER (0.03 CFS)
from 01/01 to 12/31

DOMESTIC (0.04 CFS) from
01/01 to 12/31

Place of Use: NWSE Sec 18 T
57N R 05W FOR 10 ACRES

Diversion Means: PUMP
AND PIPELINE.

The permit(s) will be sub-
ject to all prior water rights.
Protests must be filed with
the Director, Dept. of Water
Resources, 4055 Gov't. Way,
Coeur d'Alene, Id. 83814 on
or before JANUARY 3, 1983.

KEN DUNN, Dir.

Published in Priest River
Times 12/16 & 12/23/82.

Dept. of Water Resources

60

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DEC 30 1982

Department of Water Resources
Northern District Office

MICROFILMED

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CONSULTANT SEAL

DEC 27 1988

Date

Beneficial Use Examination

IDWR Director's Authorization to Conduct

Consultant's License Number

16. Examiner's/Consultant's Signature

[Signature]

Date *5/3/85*

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

15. Recommended Amendments

14. Remarks

13. ☐ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached



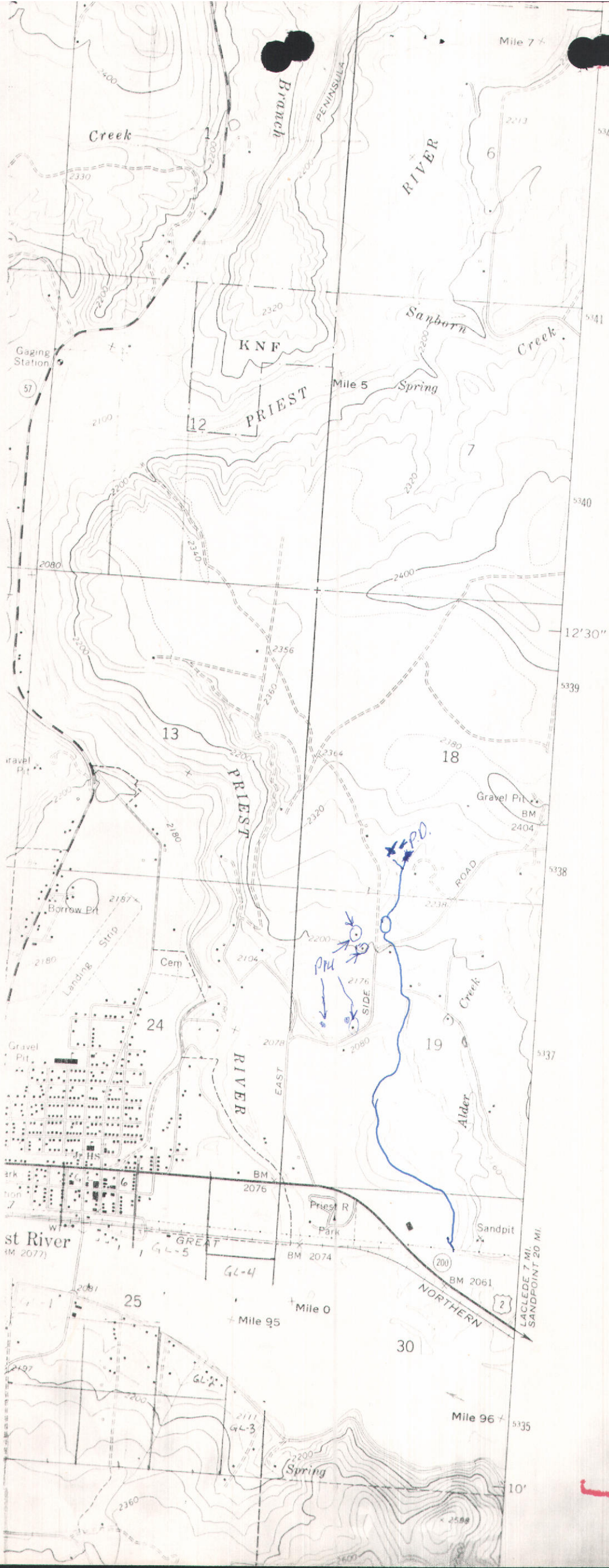
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.

10. Other water rights on these lands

None

11. Other water right diverted from same p.d.

None



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DEC 4, 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07218

Priority: December 2, 1982 Amount: 0.02 CFS 5.4 AFA

This is to certify, that GERALD HARTT
FRANCES JEWEL HARTT

RT. 6 BOX 3

PRIEST RIVER, ID 83856

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated December 2, 1982, and has submitted proof to the Department of Water Resources on December 2, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .020 cfs of water from:

SPRING tributary to PEND OREILLE RIVER

source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	3.0 AFA
DOMESTIC	01/01 to 12/31	0.02 CFS	2.4 AFA
	Totals	0.02 CFS	5.4 AFA

LOCATION OF POINT OF DIVERSION(S): SESW , Sec. 18, Township 56N, Range 04W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N 04W 19	NNW 0.5	SWNW 0.5		1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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DEC 27 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07218

CONDITIONS/REMARKS:

4. Domestic use is for 4 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 12th
day of DECEMBER, 1958.

Acting for the Director



RECORDED

DEC 27 1958

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant FRANCES JEWEL HARTT ^{OR} GERALD HARTT Phone _____
Post office address RT 6 Box 3 Priest River, ID 83856
2. Source of water supply SPRING which is a tributary of PEND OREILLE RIVER
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18 Township 56N
Range 4W B.M. BONNER County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.14 ^{0.02 cfs} for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 ^{0.03 cfs} for IRRIGATION purposes from MAR 15 to NOV 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:

- a. 0.14 ^{0.02 cfs} cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. COLLECTION BOX WITH GRAVITY FLOW PIPELINE

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation: LOTS 1 & 2
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 18 Township 56N
Range 4W B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 5.

- (5) If water is to be used for other purposes describe: _____

RECEIVED
MARCH 1978

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

[illegible]

Total number of acres to be irrigated

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

CONSTITUTIONAL RIGHT FOR 1 HOUSEHOLD DATING BACK TO 1980.

CONSTITUTIONAL RIGHT FOR 1 HOUSEHOLD DRIVING BACK TO 1950.

CONSTITUTIONAL RIGHT FOR 1 HOUSEHOLD DATING BACK TO 1980.

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

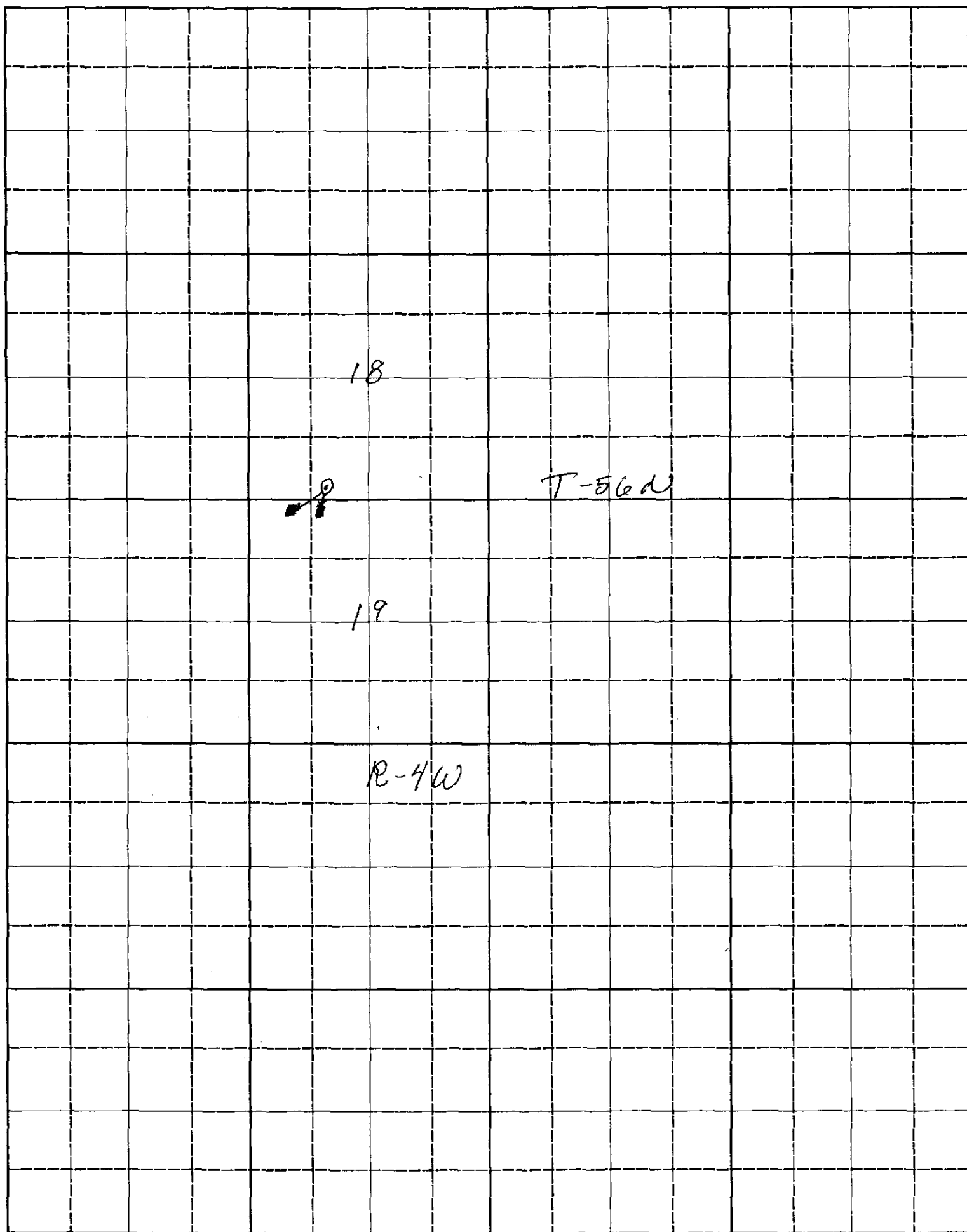
b. Who owns the land to be irrigated or place of use

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

10. Remarks

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



Scale: 2 inches equal 1 mile.

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

Francis Jewel Hartt
(Applicant)

12/2/1982

Proposed Priority 12/2/1982

Received by K/C Date 12/2/82 time 10:30 A
Preliminary check by JK Fee \$ 50.00
Received by K/C Date 12/2/82
Publication prepared by Mr. Mike Thomas Date 12/9/82
Published in _____
Publication dates 12/16 - 23/82
Publication approved _____ Date 12/31/82
Protests filed by: Charles J. Hecox Date 1/3/83
Protest withdrawn
Copies of protests forwarded by _____
Hearing held by AGB Date 3/25/83
Recommended for approval denial by AGB

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. 97-7218, 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 _____, June 1, 19 84.

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. Other: The issuance of this permit does not allow trespass on property owned by another.

The permit holder shall not start excavation of the springs identified herein without first obtaining permission of the property owner.

Witness my hand this 16th day of May, 1983.

D. Newington
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

being duly sworn, says that he is the Publisher
of 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 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general cir-
culation made up of at least eight pages of at least seven columns
each, printed from typematter 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

Dept. of Water Resources 97-7218, 97-7219

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 16th day of December, 1982,
and

ending on the 23rd day of December, 1982,
and that said notice was published in said newspaper proper, and
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

29 day of Dec, 1982

William M. Thompson

Notary Public for Idaho,

Residing at Priest River, Idaho

APPLICATION FOR WATER RIGHT

The following applica-
tion(s) have been filed to ap-
propriate the public waters
of the State of Idaho.

97-7218

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FRANCES JEWEL
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RIVER, ID 83856

Source: SPRING tributary
to PEND OREILLE RIVER

Date Filed: 12/02/1982

Amount: 0.14 CFS

Diversion Point: SESW Sec
18 T 56N R 04W, BONNER
Co.

Use: IRRIGATION (0.03
CFS) from 03/15 to 11/15

DOMESTIC (0.11 CFS) from
01/01 to 12/31

Place of Use: LOT 02 LOT 01
Sec 19 T 56N R 04W FOR 2
ACRES

Diversion Means: COLLEC-
TION BOX AND PIPE.

97-7219

ANDREWS, DONNA
TIBBETTS, SHARON
RT. 5 BOX DD, PRIEST
RIVER, ID 83856

Source: GROUNDWATER

Date Filed: 12/08/1982

Amount: 0.27 CFS

Diversion Point: NWSE Sec
18 T 56N R 04W, BONNER
Co.

Use: IRRIGATION (0.20
CFS) from 03/15 to 11/15

STOCKWATER (0.03 CFS)
from 01/01 to 12/31

DOMESTIC (0.04 CFS) from
01/01 to 12/31

Place of Use: NWSE Sec 18 T
57N R 05W FOR 10 ACRES

Diversion Means: PUMP
AND PIPELINE.

The permit(s) will be sub-
ject to all prior water rights.
Protests must be filed with
the Director, Dept. of Water
Resources, 4055 Gov't. Way,
Coeur d'Alene, Id. 83814 on
or before JANUARY 3, 1983.

KEN DUNN, Dir.

Published in Priest River
Times 12/16 & 12/23/82.

Dept. of Water Resources

60

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December 13, 1988

GERALD HARTT
FRANCES JEWEL HARTT
RT. 6 BOX 3
PRIEST RIVER, ID 83856

RE: PERMIT NO. 97-07218

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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DEC 27 1988

November 17, 1988

GERALD HARTT
FRANCES JEWEL HARTT
RT. 6 BOX 3
PRIEST RIVER, ID 83856

RE: PERMIT NO. 97-07218

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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DEC 27 1988

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Department of Water Resources

Permit No. 97-7218

Phone No. 448-2276

1. Owner: FRANCES OR GERALD HART Phone No. 448-2276
Current Address: RT 6 BOX 3, PRIEST RIVER, ID. 83856
2. Accompanied by: NONE EXAM. DATE: _____
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: _____ tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
GRAVITY FLOW					

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
48" CIRCULAR CONCRETE SPRING BOX TO STORAGE TANK THEN GRAVITY FEED
TO 4 HOMES

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

7. Measurements 4 HOMES ☐ Additional data/computation sheets attached
1/4 ACRE LAWN & GARDEN / EA

- | | | |
|---------------------------|----------------------------------|-----|
| 8. Point(s) of Diversion: | Indicate Method of Determination | MAP |
|---------------------------|----------------------------------|-----|

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination 140

[illegible]

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None

12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature JKS Date 5/3/85
Consultant's License Number _____
IDWR Director's Authorization to Conduct _____
Beneficial Use Examination _____
Date _____

CONSULTANT SEAL
000 27 1885

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

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JUN 5 1985

97-7218
Permit No.

1. Measurement Calculations

Department of Water Resources

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

4 Homes .02 cfs
IRR 1 Ac. 0.02 cfs

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{3.0} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{(0.02)(365)(1.9835) = 14.5} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{3.0} \end{aligned}$$

- c) Volume Calculations for Other Uses:

$$4 \text{ Homes } (0.02)(365)(1.9835) = 14.5 \text{ AF} / (1.2)(4) = 4.8 \text{ AF}$$

2. Overlap Review

- a) Other water rights with same place of use: NONE
- b) Other water rights with same point of diversion: NONE
- c) Analysis:

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DEC 27 1988

3. Permit No. 97-7218
 Amount 0.02
 App. Date
 Date Proof Submitted
 System Capacity

4. Permit Holder: Frances or Gerald Harts
 Address: Rt 6 Box 3, Priest River, ID 83856
 5. Source: Spring tributary to Kendrick R.
 6. Beneficial Use
 Period of Use From To
 Rate of Diversion Q (cfs)
 Annual Volume V (afa)

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
97-7218		0.02			

7. Point(s) of Diversion:
 No. Govt. Lot 1/4 1/4 1/4 1/4 1/4 1/4 1/4
 Sec. 18
 Twp. 56N
 Rge. 4W
 County Bonner

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	Totals
56N	4W	19													1

9. Recommended Conditions/Remarks:
 10. Recommended Amendments
 11. Examiner's Signature
 Checked in Regional Office by
 Approved in State Office by

Date 5/1/85
 Date 5/22/85

Domestic use for in-house - irrigation
 use for lawns & gardens only
 Allow 4 x 0.6 = 2.4 AFA
 Domestic use for each

Domestic for
in-house - irrigation
use is for
lawns &
gardens on ly
allow 0.6 AF
for each 4 x 0.6 = 2.4 AF
Domestic use.
14 AF

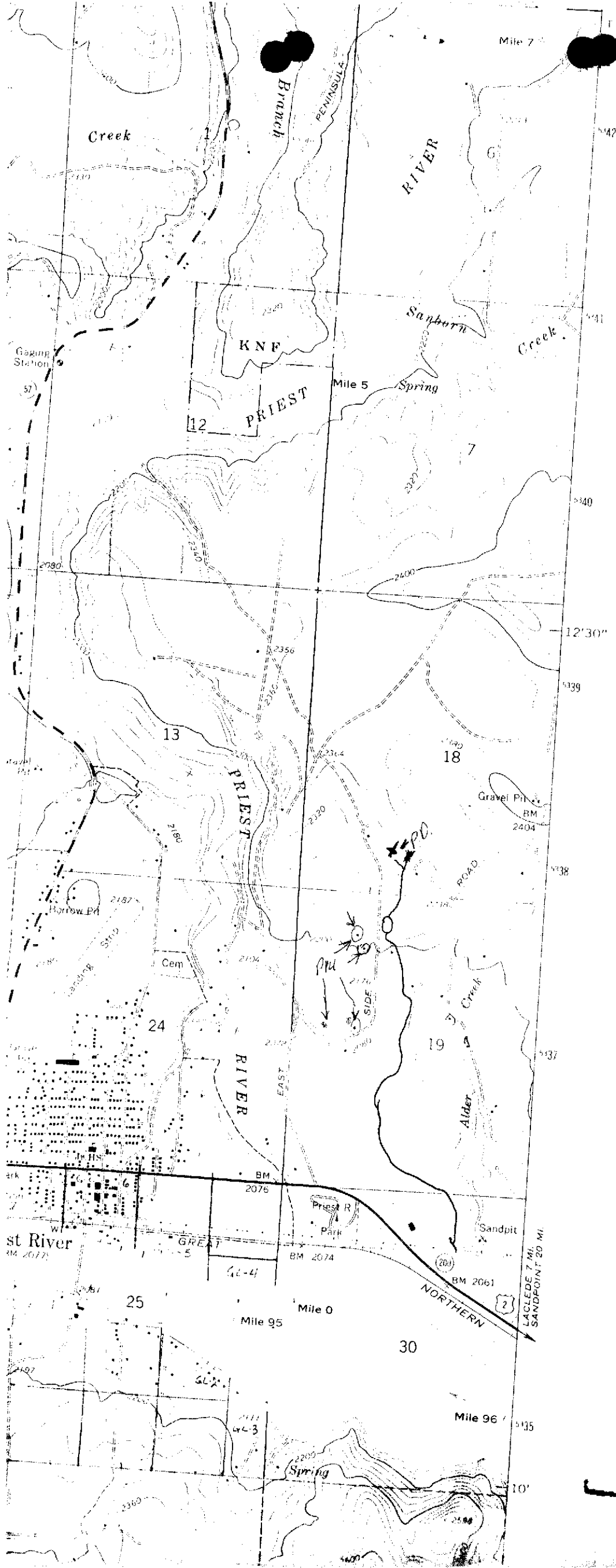
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

Date 5/6/85

Date 5/27/83

Checked in Regional Office by

Approved in State Office by _____



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DEC 21 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
A. KENNETH DUNN
Director

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

OCTOBER 18, 1983

FRANCES HART
RT 6 BPX 3
PRIEST RIVER ID

RE: Permit No. 97-7218

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

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DEPARTMENT OF WATER RESOURCES

The 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. 99-7218

Name(s) of Permit Holder: FRANCES HARTT

Post Office Address: RT 6 Box 3

PRIEST RIVER, ID Tel. No. 448-2276

Source of Water: SPRING

Extent of Use: ☒ Domestic 5 (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 1 (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.

12/2/82
Date

Frances J. Hartt
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

Received 12-2-82

RC



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HARTT, GERALD & FRANCES JEWEL
RT. 6 BOX 3
PRIEST RIVER, ID 83856

MAY 25, 1983

RE: PERMIT NO. 97-7218

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK APPLICATION NUMBER: 97-7218

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 1-3-83 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12/30/82 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
✓ 12/2/82 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: RGH Date: 3/29/83

STATE OFFICE REVIEW:

- SHW/ocond 2 special condition See letter dated 4-13-83
☐ See attached sheet for more information.
By: Adelp 5/12/83 Date: _____

RECEIVED
APR 12 1983



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

April 13, 1983

RE: Application for Permit No. 97-7218

Charles Naccarato
Box 571
Priest River, ID 83856

Dear Mr. Naccarato:

At the request of Bob Haynes, our Regional Supervisor in Coeur d'Alene, I am enclosing the conditions of approval that the Department is proposing to include on an application for a water permit filed by Frances Jewel Hartt &/or Gerald Hartt.

Please review the following conditions as we believe they should satisfy the concerns you have.

The issuance of this permit does not allow trespass on property owned by another.

The permit holder shall not start excavation of the springs identified herein without first obtaining permission of the property owner.

If you have any questions please contact Bob Haynes or myself on or before May 10, 1983.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

cc: Bob Haynes, Northern Regional Supervisor

RECEIVED

INTER-DEPARTMENT MEMO — 1

DATE 4-5-83

FROM Jim

TO File

SUBJECT Per conversation w/ Bob Hynes

The springs under the permit is not on the property of the permit holder rather it is located on the property of the protestant.

Bob requested that the following condition be added to the permit,

" The issuance of this permit does not grant the permit holder to trespass on the property of another and the permit holder shall not start excavation of said Springs without permission of the property owner".

SIGNATURE

RECEIVED

APR 5 1983

Department of Water Resources
Northern District Office

97-7218
(Protected)

The Director
Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814

Gentlemen:

I wish to go on record protesting the fact that Gerald Hartt and the two households of his children are using water from a well belonging to Jewell Hartt, the only one of the four individuals holding a water permit.

Very truly yours,


Charles G. Naccarato

F. Leaver BDI
Jim

In matter of Application)
No 97-7218 in the Name)
Frances Jewell Hartt ~~et al~~) Agreement
Gerald Hartt)

In recognition of the fact the Hartt's do not intend to increase the number use on the system as it now stands, I withdraw my objection to the issuance of this permit

3/25/83

Charles Naccarato
Charles Naccarato

Gerald Hartt
Gerald Hartt

Michael L. Miller

Name: Gerald &/or Frances Jewel Hartt
File: 97-7218
Place: Sandpoint City Council Chambers, City Hall, Sandpoint
Date: Friday, March 25, 1983 at 11:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
------	---------	--------------

Patsy Hartt		
Gerald Hartt	RT 1 Box 398	
Frances Jewel Hartt		
Charles A. Naccarato		
Box 571		
Pratt River		
Kurt A. Naccarato		
Box 55		
Coolin, ID. 83821		

MICROFILMED

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

- ☐ Show to whom and date delivered —●
☐ Show to whom, date, and address of delivery.. —●

- 2.
- ☐
- RESTRICTED DELIVERY**
-

(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$ _____

- 3.
- ARTICLE ADDRESSED TO:**

Mr. and Mrs. Gerald Hartt
Rt. 6 Box 33
Priest River, Id. 83856

- 4.
- TYPE OF SERVICE:**

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

13677

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY** *X Patsy H artt*

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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



REGISTERED MAIL

8 1983



IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1
COEUR D' ALENE, ID 83814

Department of Water Resources
Northern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

97-7218

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered —f☐ Show to whom, date, and address of delivery.. —f

- 2.
- ☐
- RESTRICTED DELIVERY**
- f

*(The restricted delivery fee is charged in addition to the return receipt fee.)***TOTAL** \$ _____

- 3.
- ARTICLE ADDRESSED TO:**

Mr. Charles Naccarato

Box 571

Priest River, Id. 83856

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED☒ CERTIFIED ☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER**

13678

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5.

DATE OF DELIVERY

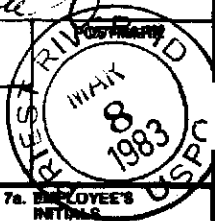
3 MAY 83

- 6.
- ADDRESSEE'S FEES**
- (Only if requested)

- 7.
- UNABLE TO DELIVER BECAUSE**

7a. **EMPLOYEE'S INITIALS**

L



MICROFILMED

PS Form 3811, Oct. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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



**RETURN
RECEIVED**

MAR 9 1983

**Department of Water Resources
Northern District Office**

**IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE**
ROUTE 5, BOX 203, SUITE #1
(Name of Sender)
COEUR D' ALENE, ID 83814

(Street or P.O. Box)

(City, State, and ZIP Code)

NAME AND ADDRESS OF SENDER
NORTHERN DISTRICT OFFICE
ROUTE 5, BOX 203, SUITE #1

COEUR D'ALENE, ID 83814

☐ Registered
☐ Insured
☐ COD
☐ Certified

certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

☐ A deductible clause of \$

LINE NO	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R.R. FEE	S.D. FEE	S.H. FEE	REST. DEL. FEE	REMARKS
1	13670	Mr. and Mrs. John E. Bentley Box 2143, Coeur d'Alene, Id. 83814	.20	.75				.60				95-816
2	13671	Mr. Daniel K. Scott, for Gary Low, Pineridge Estates Homeowners Assn. 161 Fashion Ln. Ste. 203, Tustin, Ca.	"	"				"				
3	13672	Mr. Thomas Mitchell, Atty. 316 Elder Bldg., Coeur d'Alene, Id. 83814	"	"				"				
4	13673	Mr. Del Ottinger, Atty. 601 Seltice, Post Falls, Id. 83854	"	"				"				
5	13674	Ms. Donna Andrews & Ms. Sharon Tibbetts Rt. 5 Box DD Priest River, Id. 83856	"	"				"				97-7216
6	13675	Mr. and Mrs. Norman Storro Rt. 5 Briest River, Id. 83856	"	"				"				
7	13676	Mr. and Mrs. Loyd Mickelson Rt. 5 Box 74A, Priest River, Id. 83856	"	"				"				
8	13677	Mr. and Mrs. Gerald Hartt Rt. 6 Box 3, Priest River, Id. 83856	"	"				"				97-7218
9	13678	Mr. Charles Naccarato Box 571, Priest River, Id. 83856	"	"				"				
10												
11												
12												
13												
14												
15												
TOTAL NUMBER OF PIECES LISTED BY SENDER		9	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		9	POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.				

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. GOVERNMENT PRINTING OFFICE: 1978 270-337

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL)
OF APPLICATION FOR PERMIT NO. 97-7218)
IN THE NAME OF GERALD &/OR FRANCES JEWEL HARTT.)

NOTICE OF HEARING
AND/OR CONFERENCE

On December 2, 1982, Gerald &/or Frances Jewel Hartt
of Priest River, Idaho, filed with the Department of Water
Resources an application to appropriate the public waters of the State of Idaho.
On January 3, 1983, the Department received a protest against approval
of said application from Charles G. Naccarato.

The Department has set the matter of protest for hearing for Friday,
March 25, 1983, at 11:00 a.m. in the Sandpoint City Council
Chambers, Sandpoint City Hall, 110 Main St., Sandpoint,
Idaho. The hearing will be held in accordance with
Chapter 2, Title 42 of the Idaho Code and adopted Rules of Practice and Procedure
of the Department of Water Resources. Opportunity shall be afforded all parties to
respond and present evidence and argument on all issues involved.

Dated this 4th day of March, 1983.

Robert G. Haynes
ROBERT G. HAYNES, P.E.
Regional Supervisor

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor
A. Kenneth Dunn
OF STAFF
Director

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

March 3, 1983

City Administrator's Office
City Hall
Sandpoint, Id. 83864

Gentlemen:

This is to confirm reservations for a conference &/or hearing to be held by this Department on Friday, March 25, 1983, in the City Council Chambers.

If this does not agree with your record, please advise.

Sincerely,

Patricia M. Stypa
Secretary

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

January 4, 1983

Mr. Charles G. Naccarato
Box 571
Priest River, Id. 83856

RE: 97-7218

Dear Mr. Naccarato:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearings. At such a conference and/or hearings, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearings. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:fms

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

January 4, 1983

Mr. and Mrs. Gerald Hartt
Rt. 6 Box 3
Priest River, Id. 83856

RE: 97-7218

Dear Mr. and Mrs. Hartt:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, IDAHO CODE):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:fms

Enclosure

MICROFILMED

December 30, 1982

State of Idaho
Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Re: Application for Water Right
97-7218

Dear Sirs:

In regard to the above Application which was advertised in the Priest River Times, it would appear that the Application is being made for a spring whose diversion point is on my property and not the property of the applicant. I protest the Application and intend to come to your office to review the papers in your file more carefully.

Very truly yours,

Charles Naccarato
Charles G. Naccarato

Box 571

Priest River, Id. 83856

R E C E I V E D

JAN 3 1983

Department of Water Resources
Northern District Office

MICROFILMED

97-2218.

HARTT, GERALD &/or FRANCES JEWEL

RT. 6 BOX 3. PRIEST RIVER. ID 83856

Source: SPRING tributary to PEND OREILLE RIVER

Date Filed: 12/02/1982

Amount: 0.14 CFS

Diversion Point: SESW Sec 18 T 56N R 04W. BONNER Co.

Use: IRRIGATION	(0.03 CFS)	from 03/15 to 11/15
DOMESTIC	(0.11 CFS)	from 01/01 to 12/31

Place of Use: LOT 02 LOT 01 Sec 19 T 56N R 04W FOR 2 ACRES

Diversion Means: COLLECTION BOX AND PIPE.

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