

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

Publisher

being duly sworn, says that he is the _____
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

Idaho Dept. of Water Resources

#96-8052, #96-8053, #97-7181

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 22nd day of April, 1982,
and _____
_____ ending on the 29th day of April, 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

5 day of 5, 1982

Adelle M. Thompson

Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

Not hereby given that
the following application(s)

have been submitted for per-
mit to appropriate the public
waters of the State of Idaho:

96-8052

WEST BONNER WATER
DISTRICT NO. 1

P.O. BOX 522, NEWPORT,
WA 99156

Source: CULP SPRINGS
tributary to PEND
OREILLE RIVER

Date Filed: 04/13/1982

Amount: 1.00 CFS

Diversion Point: NESE Sec
30 T 56N R 05W, BONNER
Co.

Use: MUNICIPAL (1.00
CFS) from 01/01 to 12/31

Diversion Means: COLLEC-
TION BASIN AND
PIPELINE.

Place of Use: Place of Use
located within the city limits
of Oldtown.

96-8053

WEST BONNER WATER
DISTRICT NO. 1

P.O. BOX 522, NEWPORT,
WA 99156

Source: GROUNDWATER

Date Filed: 04/13/1982

Amount: 1.34 CFS

Diversion Point: NWSW Sec.
29 T 56N R 05W, BONNER
Co.

Use: MUNICIPAL (1.34
CFS) from 01/01 to 12/31
Diversion Means: COLLEC-
TION BASIN AND
PIPELINE.

Place of Use: Place of Use
located within the city limits
of Oldtown.

97-7181

KEARBEE, JOHN P.

P.O. BOX 366, PRIEST
RIVER, ID 83856

Source: GROUNDWATER

Date Filed: 04/08/1982

Amount: 0.10 CFS

Diversion Point: NESE Sec
24 T 56N R 05W BONNER Co.

Use: STOCKWATER (0.02
CFS) from 01/01 to 12/31

DOMESTIC (0.08 CFS) from
01/01 to 12/31

Place of Use: NESE Sec 24 T
56N R 05W

Diversion Means: WELL,
PUMP AND PIPELINE.

If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of any
permit must be filed with the
Director of the Idaho
Department of Water
Resources, 4055 Gov't Way,
Coeur d'Alene, Id, 83814 on
or before MAY 10, 1982.

A. KENNETH DUNN

Director

Publ. PRT 4/22 & 4/29/82.

Dept. Water Resources

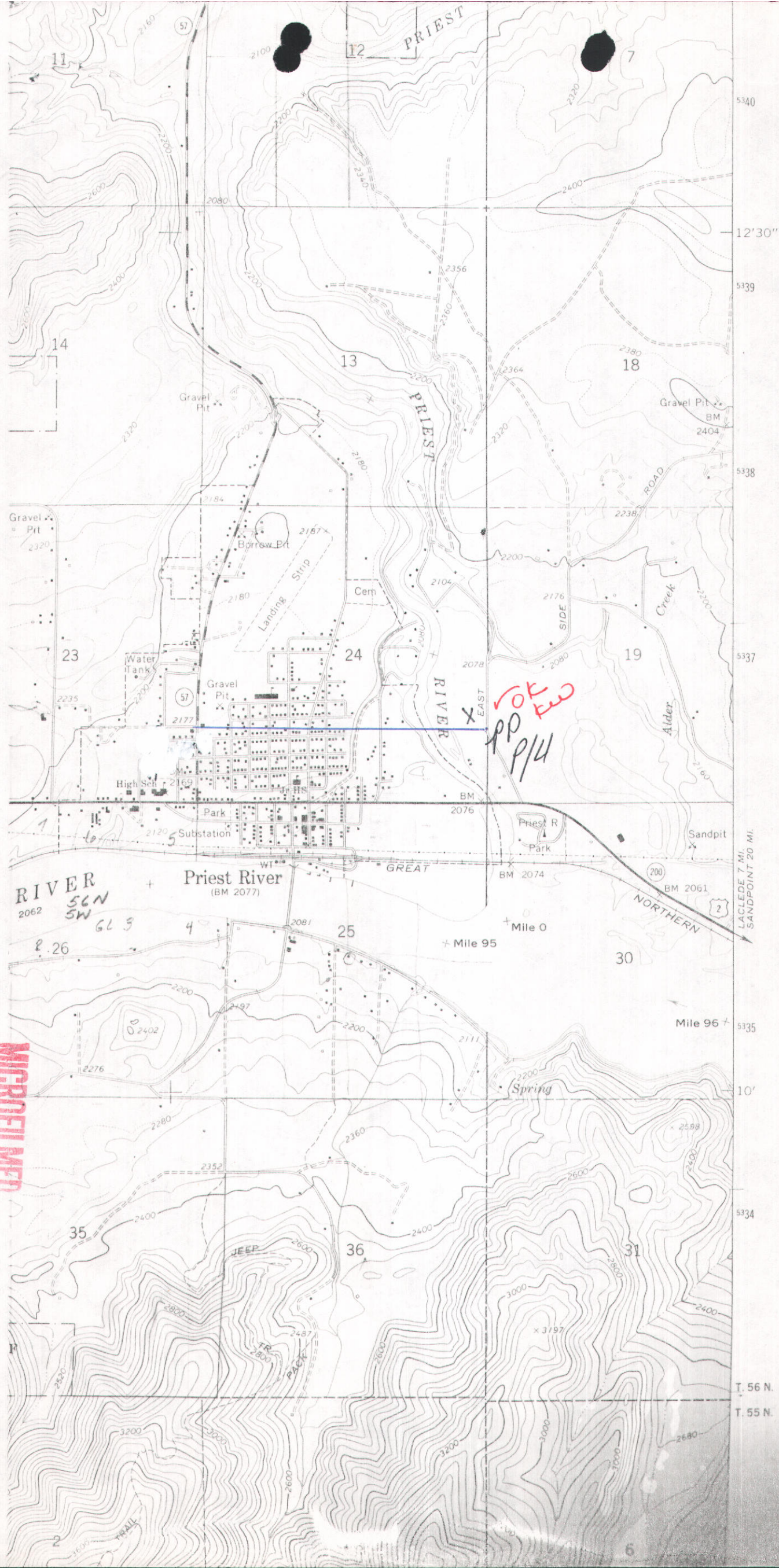
RECEIVED

MAY 6 1982

Department of Water Resources
Northern District Office

MICROFILMED

MICROFILMED



LACLEDE 7 MI.
SANDPOINT 20 MI.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 97-7181 Priority April 8, 1982 Amount 0.10 cfs

THIS IS TO CERTIFY, that John P. Kearbey
of Priest River, Idaho, has complied with the terms and conditions of Permit
No. 97-7181 issued pursuant to Application for Permit dated April 8, 1982,
and has submitted proof to the Department of Water Resources on June 28, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.10 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from <u>January 1</u> to <u>December 31</u> at <u>0.02</u> cfs and	<u>0.2</u> acre feet	
Domestic (2 Units)	from <u>January 1</u> to <u>December 31</u> at <u>0.08</u> cfs and	<u>2.4</u> acre feet	
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.6 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24,
Twp 56N, Rge 5W in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
56N	5W	24																	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15TH day of
DECEMBER, 19 83.

Acting for the

Director

Norman C Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant John P. Kearbey Phone 208-448-2171
Post office address PO Box 366 Priest River, Idaho 83856
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 56N
Range 5W B.M. Bonnet County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.08 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stock purposes from 1/1 to 12/31 (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. 0.10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and 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 6 inches; proposed depth of well is 112 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:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24 Township 56N
Range 5W 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 cows, 2 horses

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2.

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

NOTED

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

TWP	RANGE	SEC.	NE%	NW%	SE%	SW%	NE%	NW%	SE%	SW%	NE%	NW%	SE%	SW%	NE%	NW%	SE%
TOTALS			NE%	NW%	SE%	SW%	NE%	NW%	SE%	SW%	NE%	NW%	SE%	SW%	NE%	NW%	SE%

Total number of acres to be irrigated

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

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

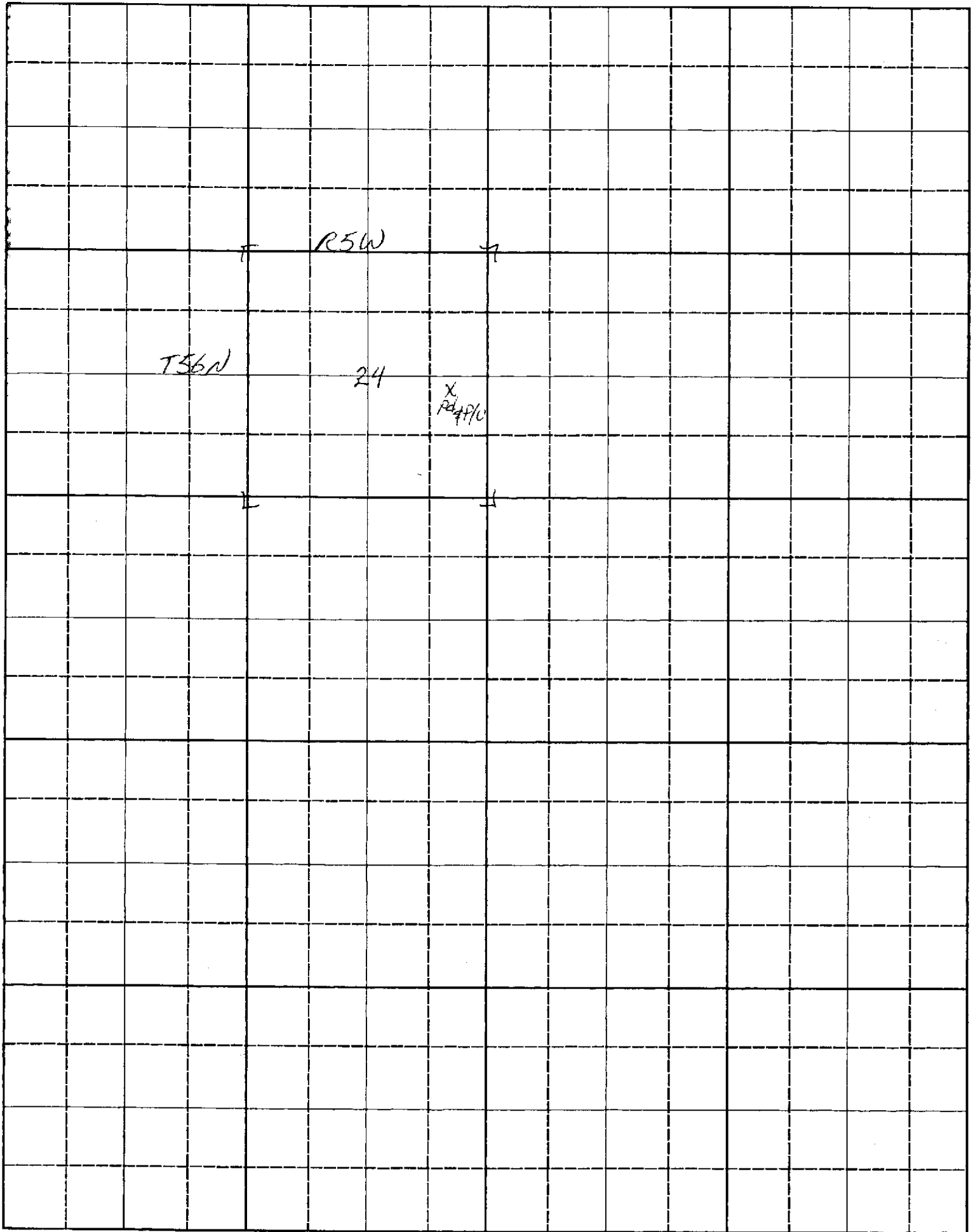
b. Who owns the land to be irrigated or place of use

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.

RECEIVED

John P. Kearney
(Applicant)

RECEIVED

A. Munson
Chief, Operations Bureau

Witness my hand this 27th day of May, 1982.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 97-7181, 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 83.

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:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by JB Date 4/8/82 Time 1:55
Preliminary check by JK Fee \$ 30.00
Received by JB Date 4/8/82 (21025)
Publication prepared by pm Date 4/15/82
Published in Great River Journal
Publication dates 4/28-29/82
Publication approved pm Date 5/1/82
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JB

Prepared Priority 4/8/1982

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

Publisher

being duly sworn, says that he is the
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a period of 78 consecutive weeks prior to the first publication of
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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

Idaho Dept. of Water Resources

#96-8052, #96-8053, #97-7181

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 22nd day of April, 1982,
and

ending on the 29th day of April, 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

5 day of 5, 1982

Adler M Thompson
Notary Public for Idaho,

Residing at Priest River, Idaho

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CFS) from 01/01 to 12/31

Diversion Means: COLLEC-
TION BASIN AND
PIPELINE.

Place of Use: Place of Use
located within the city limits
of Oldtown.

96-8053

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DISTRICT NO. 1

P.O. BOX 522, NEWPORT,
WA 99156

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Date Filed: 04/13/1982

Amount: 1.34 CFS

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Co.

Use: MUNICIPAL (1.34
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Diversion Means: COLLEC-
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Place of Use: Place of Use
located within the city limits
of Oldtown.

97-7181

KEARBEY, JOHN P.

P.O. BOX 366, PRIEST
RIVER, ID 83856

Source: GROUNDWATER

Date Filed: 04/08/1982

Amount: 0.10 CFS

Diversion Point: NESE Sec
24 T 56N R 05W BONNER Co.

Use: STOCKWATER (0.02
CFS) from 01/01 to 12/31

DOMESTIC (0.08 CFS) from

01/01 to 12/31

Place of Use: NESE Sec 24 T
56N R 05W

Diversion Means: WELL,
PUMP AND PIPELINE.

If issued, the permit(s)
will be subject to all prior
water rights. Protests
against the granting of any
permit must be filed with the
Director of the Idaho
Department of Water
Resources, 4055 Gov't Way,
Coeur d'Alene, Id, 83814 on
or before MAY 10, 1982.

A. KENNETH DUNN
Director

Publ. PRT 4/22 & 4/29/82.

Dept. Water Resources

RECEIVED
APR 20 1982

Idaho Dept. of Water Resources
Bonner District Office

December 16, 1983

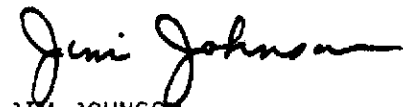
RE: Permit No. 97-7181

John P. Kearbey
Box 366
Priest River, ID 83856

Dear Mr. Kearbey:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

Remarks

Examiner's S

Date

☒ None
☐ Other

[illegible]

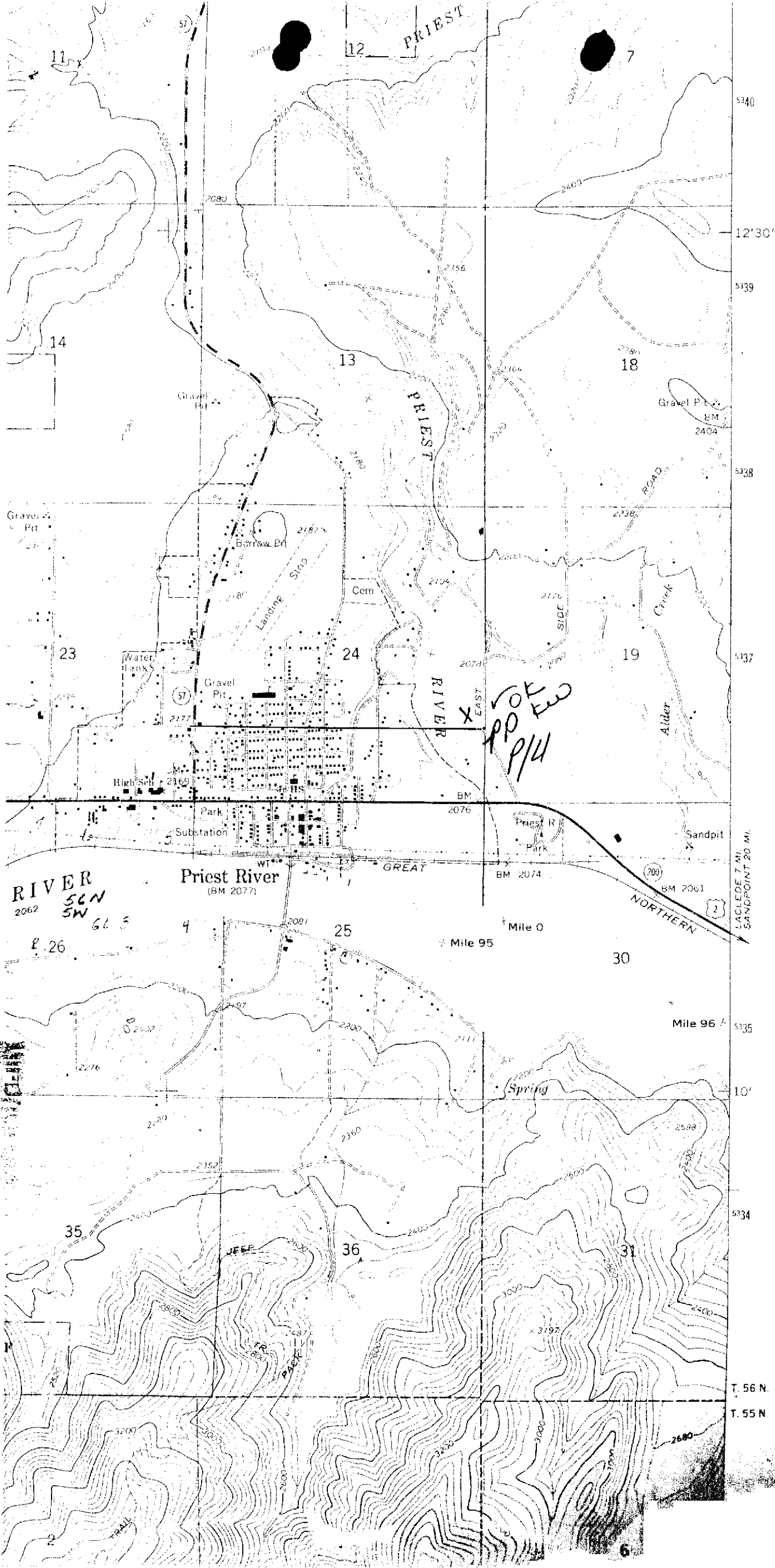
✓ Same as previous

Save a permit
to permit

SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

*Aut
from file*

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

October 14, 1982

Mr. John Kearbey
Box 366
Priest River, Id. 83856

RE: 97-7181

Dear Mr. Kearbey:

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

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

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

1: IDWR - State Office

RECEIVED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 97-7181.

Name(s) of Permit Holder: John P. Kearbey

Post Office Address: PO Box 366 - Priest River,
Idaho 83856 Tel. No. 208-448-2171

Source of Water: well, pump, & pipeline

Extent of Use: ☒ Domestic 2 (number of households)
☒ Stockwater 4 cows - 2 horses (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

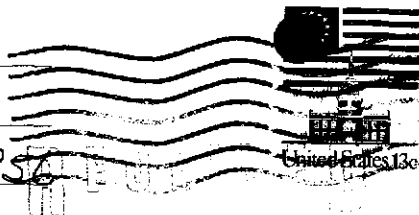
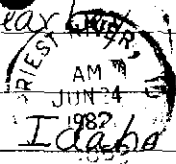
Measuring Device:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☒ No
Access Port:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☒ No

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

6-24-82
Date

John P. Kearbey
Signature of Permit Holder

John P. Kearney
Box 366
Priest River, Idaho 83856



JUN 24 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KEARBAY, JOHN P.
P.O. BOX 366
PRIEST RIVER, ID 83856

JUNE 08, 1982

RE: PERMIT NO. 97-7181

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.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 97-7181

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: 5/10/82 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5/10/82 ✓
☒ 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? _____
4/8/82 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: REH Date: 5/17/82

STATE OFFICE REVIEW:

SLW cond

- ☐ See attached sheet for more information.

By: REH Date: 5/24/82

RECEIVED
MAY 24 1982

Department of Water Resources

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

WATER RIGHT NUMBER 97-7181

OWNER LAST NAME - KEARBEY
ADDRESS LINE 1 - P.O. BOX 366
ADDRESS LINE 3 -FIRST NAME - JOHN P.
ADDRESS LINE 2 -
CITY - PRIEST RIVER
TRIBUTARY OF -ORIG OWNER -
STATE - ID ZIP CODE - 83856

SOURCE - GROUNDWATER

STAGE - PERMIT STATUS - PRIORITY - 04-08-1982 COUNTY - BONNER TOTAL DIV. RATE - .1000 -CFS

TOTAL DIV. VOLUME - 2.6 .00 AFA TRER/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - NESE 24 56N 05W LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0200 CFS USE DIV. VOLUME - .2 .00 AFA

FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0800 CFS USE DIV. VOLUME - 2.4 .00 AFA

USE - STOCKWATER

PLACE OF USE - TWN 56N RNG 05W SEC 24 TRACT NESE LOT AC

DECREE NAME -

DATE - TOTAL ACRES 0

REMARKS -

NON IRRIG USE - D/2 HOMES, S/6 RANGE.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 06-01-1983 PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - WELL, PUMP AND PIPELINE.

WATER RIGHT
DATA ENTRY LOG

[illegible]

92-2181

KEARBAY, JOHN P.

P.O. BOX 366, PRIEST RIVER, ID 83856

Source: GROUNDWATER

Date Filed: 04/08/1982

Amount: 0.10 CFS

Diversion Point: NESE Sec 24 T 56N R 05W, BONNER Co.

Use: STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.08 CFS)	from 01/01 to 12/31

Place of Use: NESE Sec 24 T 56N R 05W

Diversion Means: WELL, PUMP AND PIPELINE.

ACCEPTED