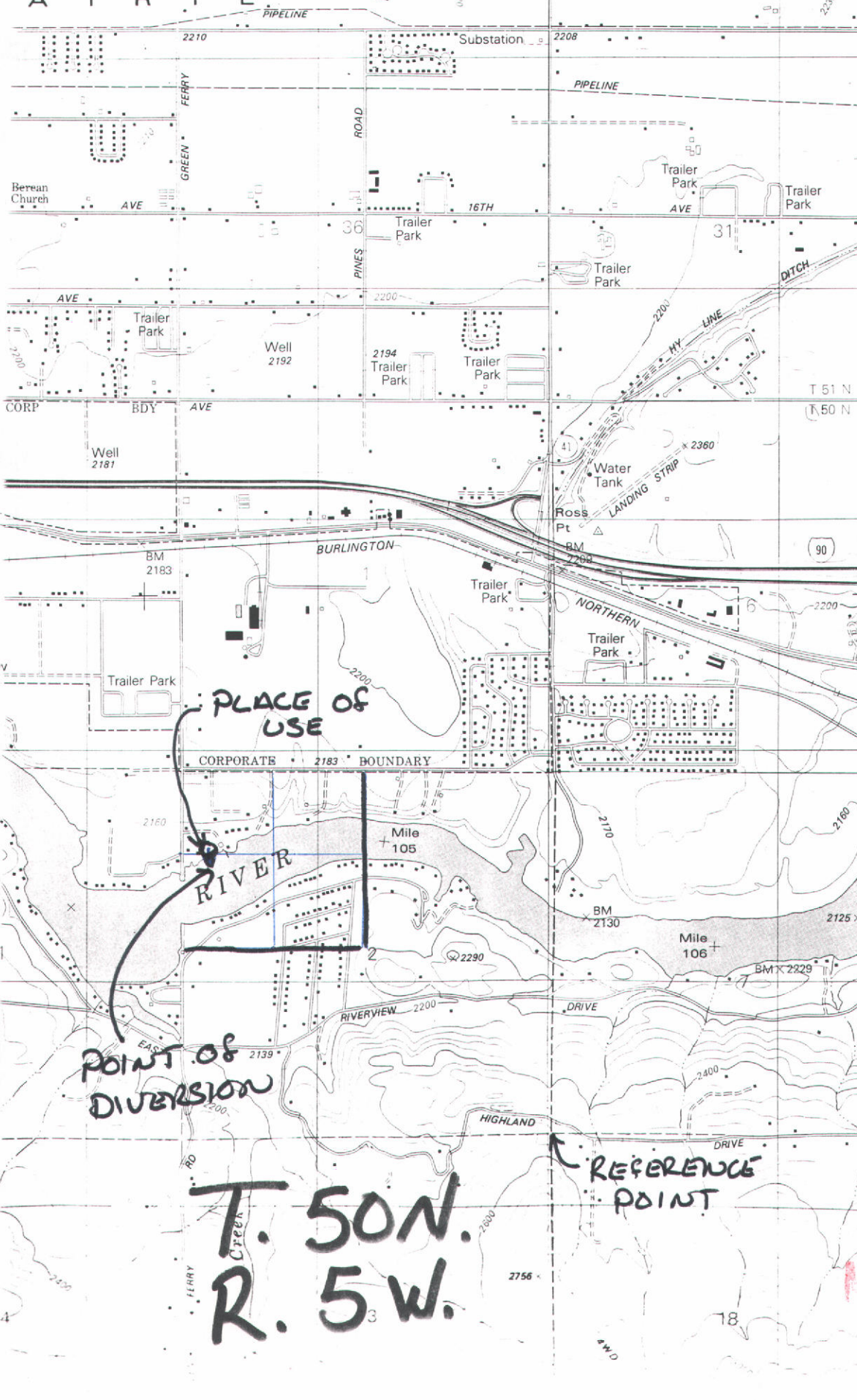


AIRIE



5286

2 210 000
FEET

5285

COEUR D'ALENE (U.S. 95) 4.1 MI.
KINGSTON 36 MI.

42'30"

5283

5282

(COEUR D'ALENE)
2679 III NE

5281

RECORDED

OCT 28 1993

T50N
R5W
S12 LT.4



MICROFILMED

OCT 28 1993

2. Measurements:

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

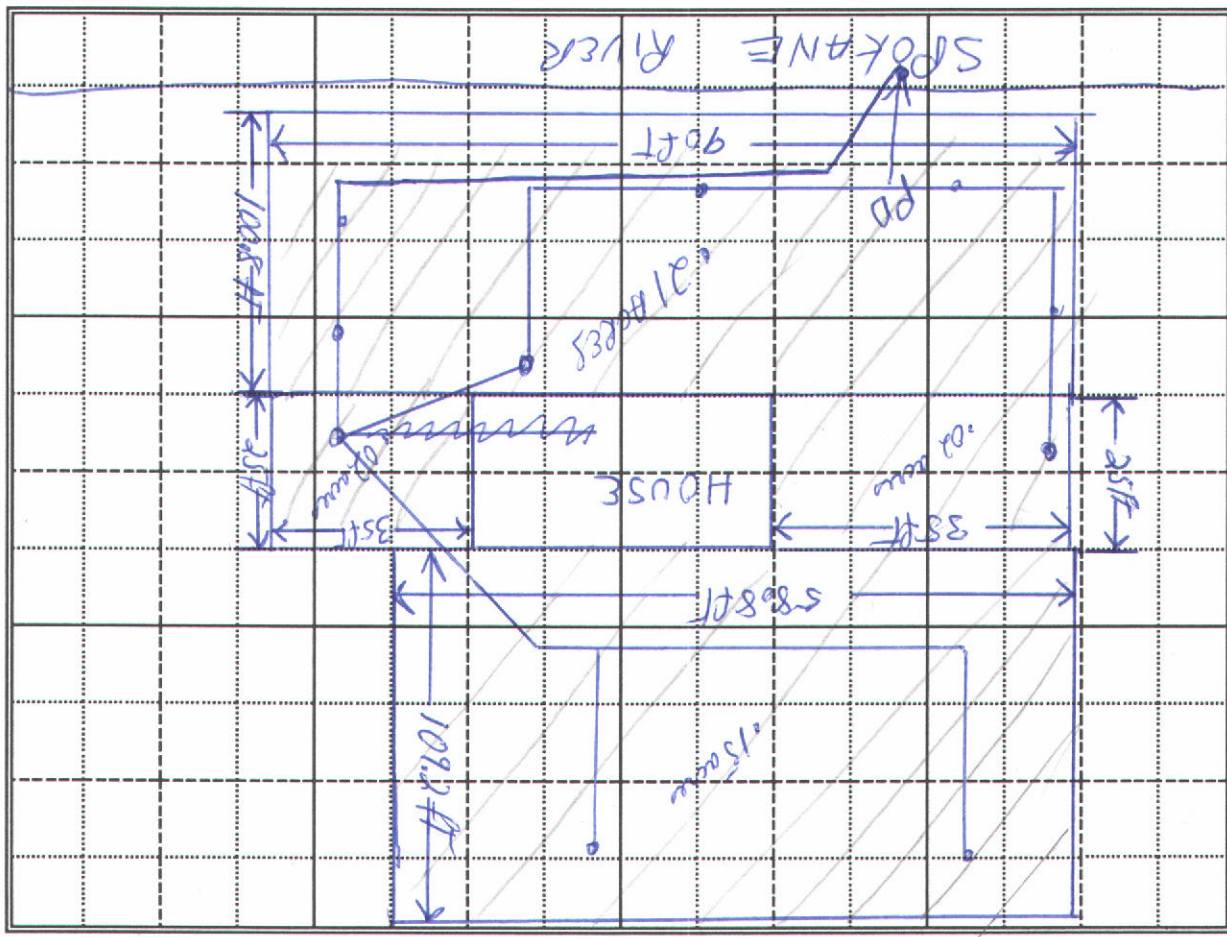
D. FLOW MEASUREMENTS

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

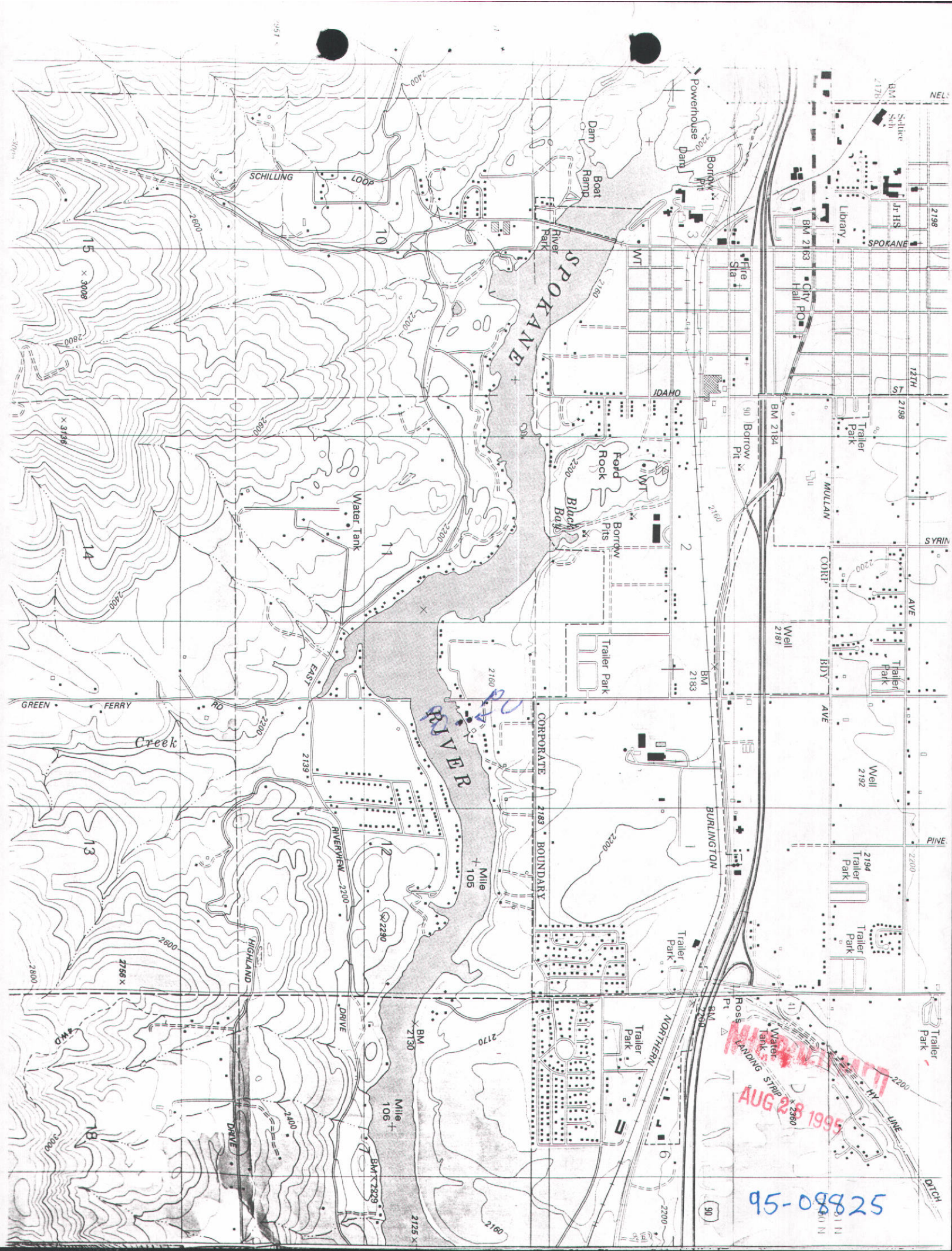
Well or Diversion No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	1.5	5K03951V3757	MYERS	9860793 1 1/2"

4.

Scale: 1" = _____
Copy of USGS Quadrangle Attached Showing location(s) of _____
point(s) or diversion and place(s) of use (required).
Aerial Photo Attached _____
(required for irrigation of 10+ acres)
Photo of Diversion and System Attached _____



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





PD



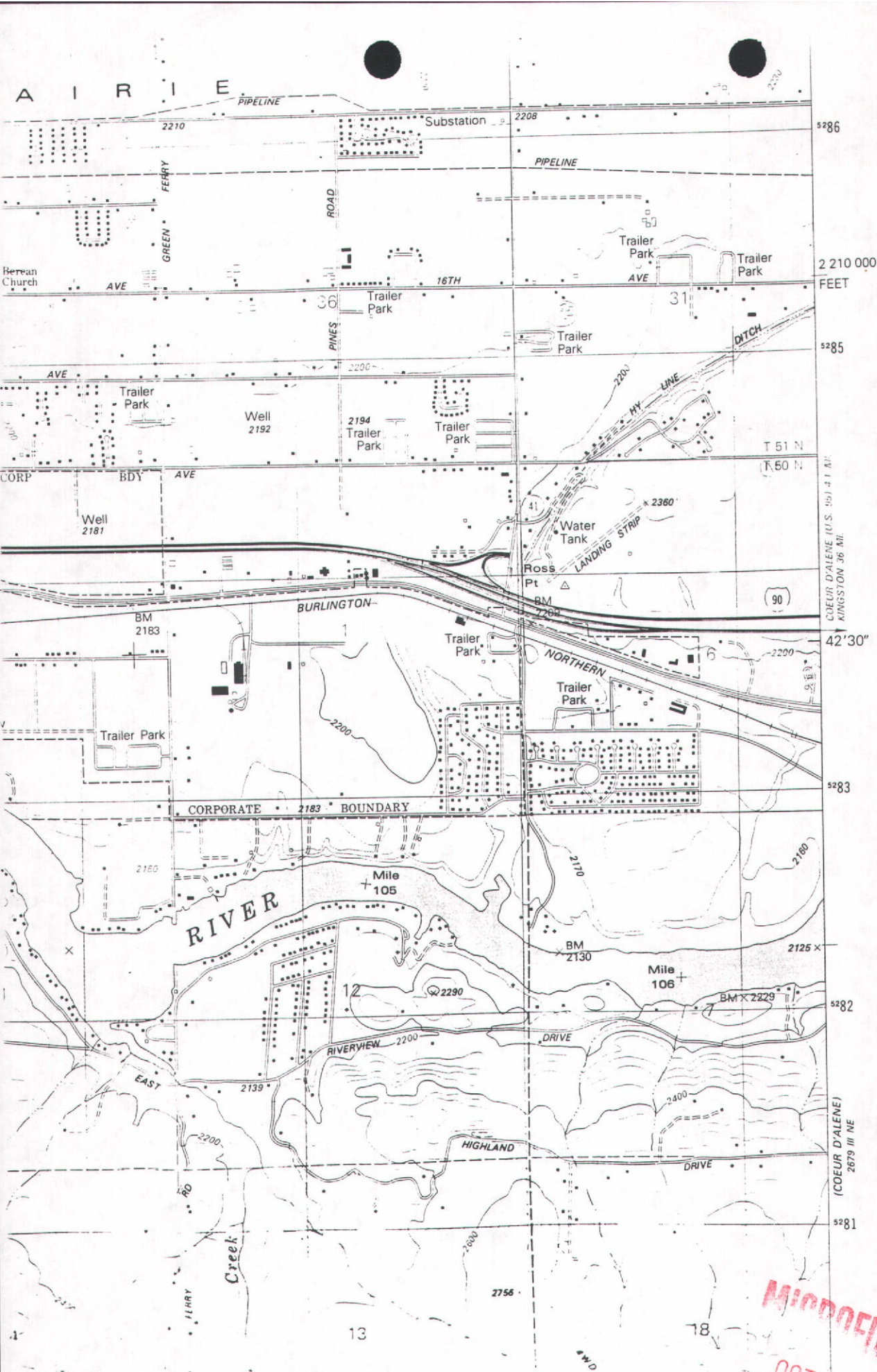
PD



MICROFILM

AUG 28 1995

95-08825



MICROFILMED

OCT 28 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08825

Priority: July 28, 1993

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

1.5 AF

This is to certify, that CLYDE H SHEPPARD
2500 E MARINE DR
POST FALLS ID 83854

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 28, 1993; and has submitted Proof of Beneficial Use on August 8, 1994. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

SPOKANE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	1.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWNW), Sec. 12, Township 50N, Range 05W
KOOTENAI 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>
50N	05W	12	Lot 4(SWNW)	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.

RECEIVED

AUG 28 1995

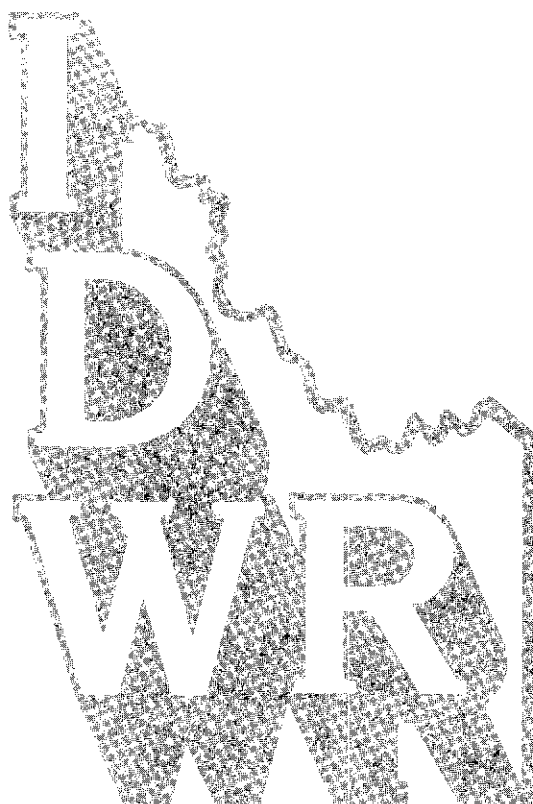
State of Idaho
Department of Water Resources

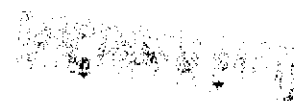
WATER RIGHT LICENSE

WATER RIGHT NO. 95-08825

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 3rd
day of August, 1995.


KARL J. DREHER, Director
Acting for





AUG 28 1995

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 95-08825 Telephone No. 773 0162

2. Name(s) of Permit Holder(s): CLYDE H SHEPPARD

3. Post Office Address: E 2500 MARINE DR POST FALLS, ID 83854

4. Source of Water: SPOKANE RIVER

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: 1 1/2 Pressure (psi): 10 Dynamic pumping level (ft.): 7 FT

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 1 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.03 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes X No Installed? Yes No

OR

Flow Measurement Port: Required? Yes X No Installed? Yes No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

CLYDE SHEPPARD
Name

773 0162 / 916
Telephone No.

E 2500 MARINE DR POST FALLS, ID 83854
Address

10. The above information 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.

Aug 4, 1994
Date

Clyde H Sheppard
Signature (and title if on behalf of a company or organization)

SEP 12 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08825

Proposed Priority: July 28, 1993

Maximum Diversion Rate:

0.03 CFS

This is to certify, that **CLYDE H SHEPPARD**
2500 E MARINE DR
POST FALLS ID 83854
has applied for a permit to appropriate water from:

SPOKANE RIVER

tributary of **COLUMBIA RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWNW), Sec. 12, Township 50N, Range 05W
KOOTENAI County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

50N 05W 12

NWNW 0.5

SWNW 0.5

1

Total number of acres irrigated:

1

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1994**.
2. Subject to all prior water rights.
3. 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.

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

1st day of October, 1993.

R. Keith Higginson
for
R. Keith Higginson, Director

APPROVED
OCT 8 89 1993

RECEIVED

SEP 10 1993

Form 202
6/85

Department of Water Resources

Ident. No. 95-8825

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant CLYDE H SHEPPARD Phone 773-9116
Post office address E 2500 MARINE DRIVE, POST FALLS, ID 83854
2. Source of water supply SPOKANE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is SW 1/4 of SW 1/4 of NW 1/4, Govt. Lot 4
Sec. 12 Township 50 NORTH Range 5 W.B.M. KOOTENAI County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .03* for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) MAY NOV
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 .03* and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2" PVC Pipe From
PUMP. 70 FT parallel with Spokane River then North along
property line 325 FT. Pump capable of 18-22 gals/min @ 58-60 psi
 - 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 _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 yr years (minimum 1 year).

OCT 28 1993

* per Department standards

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- 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.

[illegible]

Total number of acres to be irrigated.

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

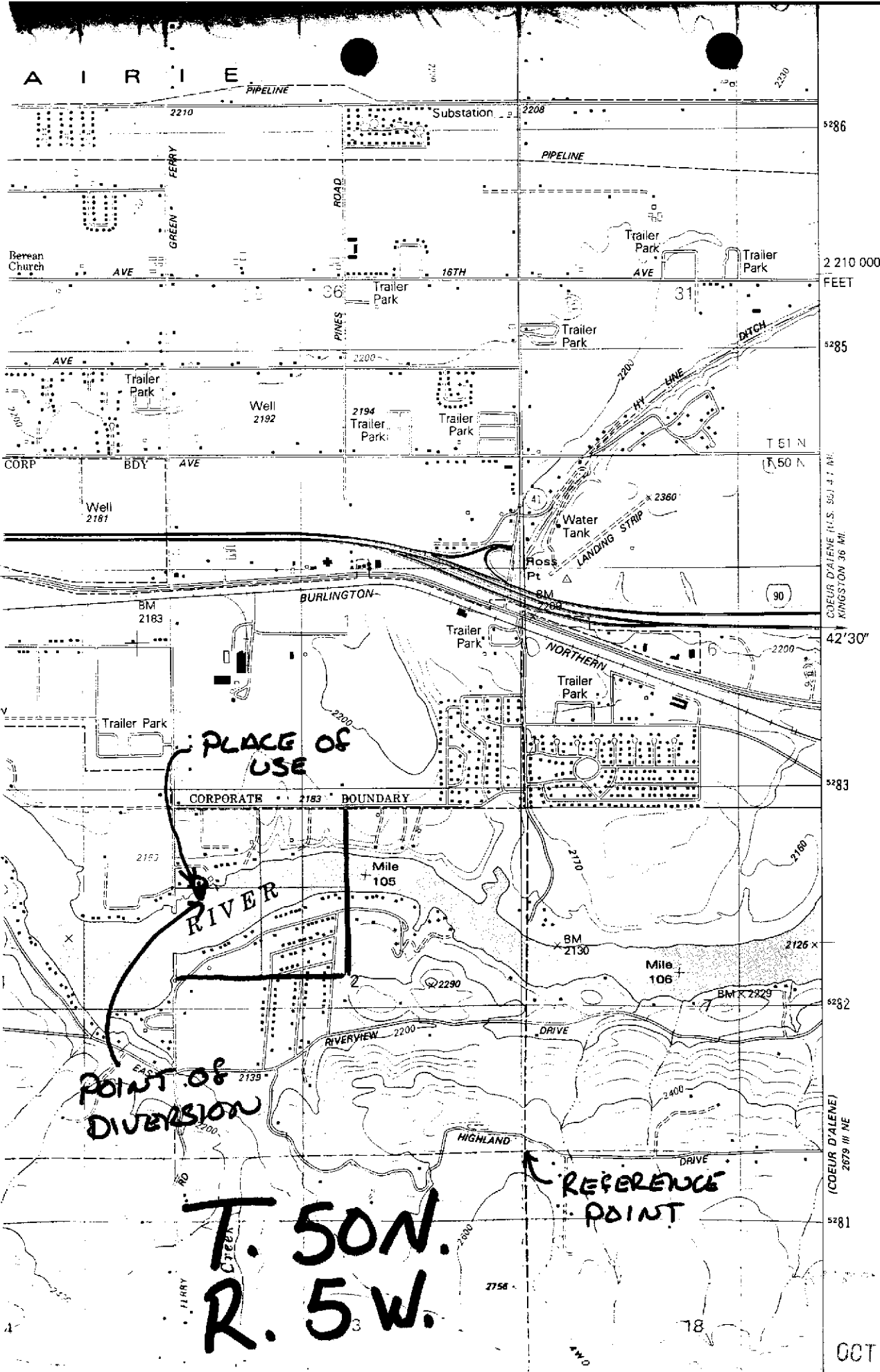
11. a. Who owns the property at the point of diversion?
b. Who owns the land to be irrigated or place of use?

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

applicant to make this filing.

12. Remarks:

AIRIE



COEUR D'ALENE (U.S. 80) 4.1 MI.
KINGSTON 36 MI.

(COEUR D'ALENE)
2679 MI NE

OCT 28 1993

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

[illegible]

Scale: 2 inches equal 1 mile.

11/17/2000

28 1993

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.

Clyde H. Shepard 5/18/93
(Applicant)

Applicant

OCT 28 1993

e. Other:

- 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.
- 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.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

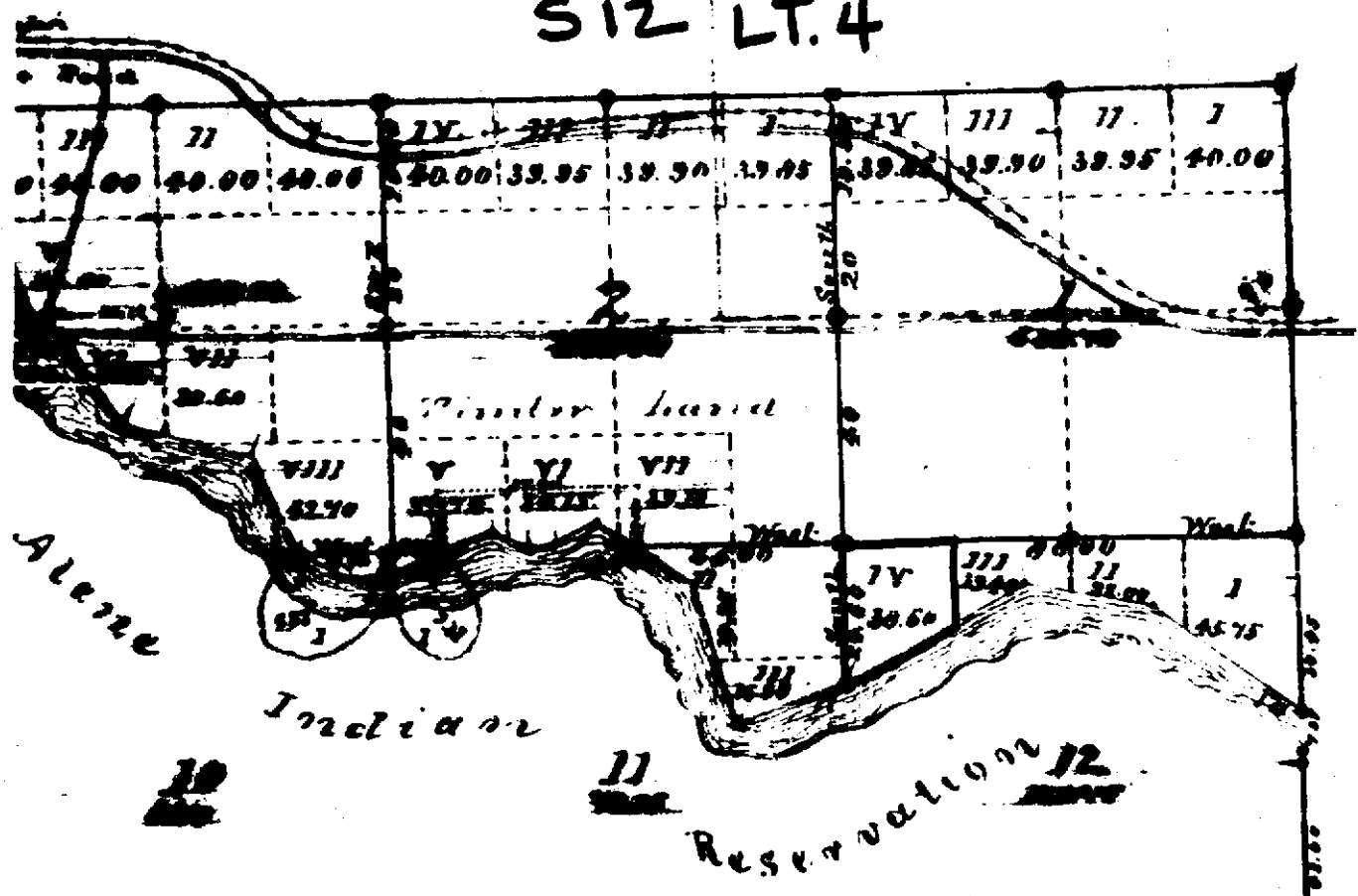
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	Date	Time	Preliminary check by
<i>[Signature]</i>	7/28/93	2:28 PM	<i>[Signature]</i>
Fee \$ 30.00			
Received by	Date	#	Date
<i>[Signature]</i>	9/11/93	16549	5/19/93
Publication prepared by	Date		Published in
<i>[Signature]</i>	9/11/93		8/19-26/93
Publication approved	Date		
<i>[Signature]</i>	8/30/93		

Fort Boise Meridian

T50N
R5W
S12 LT.4



REGISTERED

OCT 26 1903



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

August 3, 1995

CLYDE H SHEPPARD
2500 E MARINE DR
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08825

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
AUG 28 1995

LICENSE REVIEW
Cindy Zimmerman

Permit #: 95-8825 Name: Shoppard Date: 7/28/95
App Rcd 7/28/93 Priority 7/28/93 Examined 6/13/95 ✓ Lots ✓

NAME Chng OK ✓ Or Address Change?

* SOURCE Chng OK ✓ Clarify source _____
Prelim. Order to Void - Source change.

P/D Chng OK ✓ Amendment Needed? _____ -P39, P38
Overlap(s) _____

P/U Chng OK ✓ Amendment Needed? clarify Lt 4 (SWNW) _____ -P41, P38
Overlap(s) no use in NW NW _____
*P/D & P/U Amend? P37, P38
(See paragraph list for governmental agencies.)

RATE Chng OK ✓ Permit/fee limits 0.03/0.03
Measured Q= 0.03 cfs Theoretical Q= _____ cfs
Sq. / 20 sec. = 0.03
Recommended capacity 0.03 cfs
Recommended rate 0.03 cfs

VOLUME Chng OK ✓ Season of Use: (D) 2/15-11/15 = 246 days
Calculations: 0.5 AF x 3.0 AF/AF = 1.5 AF
Flow limit: 0.03 x 246 x 1.9835 = 14.6 AF
Recommended volume 1.5 AF

USES Chng OK ✓ Same Nature of Use? _____ -P46
Amendment Needed? _____

REMARKS Chng OK ✓ Multiple p/d's in 1 1/4? _____

CONDITIONS Chng OK ✓ Measuring (R01)/Locking (R02) Devices
Watermaster Control (R04) - WD # _____
R49 Irrigation rate/volume overlap
Irrigation water overlap (065) (If gw use sw)
Water Quality
Other _____

PRIORITY Due 10/1/94 Rc'd 8/8/94 Receipt# 0030995 Fee OK? Yes No
Order to Reinstate Needed? Yes/No Done? _____
If Yes, Advanced? Yes/No to: _____

COMMENTS: _____

USE	CFS	DIV VOL	*Adjustment Memo
<u>Irr/0.5</u>	<u>0.03</u>	<u>1.5</u>	<u>✓</u>
_____	_____	_____	
_____	_____	_____	
TOTAL	<u>0.03</u>	<u>1.5</u>	

LICENSE: P49
#1 AMEND LTR: P46 or
P39/P41/P37 & P38
#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: July 31, 1995
TO: File No. 95-08825
FROM: Cindy Zimmerman
SUBJECT: Adjustments to Beneficial Use Exam

=====

The following adjustments were made on the field exam to supply missing information.

1. Source.
 - a. Per orthoquad and system diagram, the source is Spokane River tributary to Columbia River.

RECORDED

AUG 28 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

(95-08825)
RECEIVED
JUL 13 1995

A. GENERAL INFORMATION

Permit No. 95-08825 Department of Water Resources

1. Owner: Clyde H. Sheppard Phone No. 208-773-9116

Current Address: 2500 E MARINE DR. POST FALL ID 83854

2. Accompanied by: Clyde H. Sheppard EXAM DATE: _____

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder: _____

* 3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 95-02119, 95-02320, 95-02613, 95-08612

2. Other water rights with the same point of diversion: 95-02119, 95-07084, 95-07632

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
	4		SW	NW	12	50N	05W	Kootenai	USGS 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	
50N	05W	12							25										SACKS

AUG 28 1995

AUG 28 1995

SOUTH

2. Measurements:

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

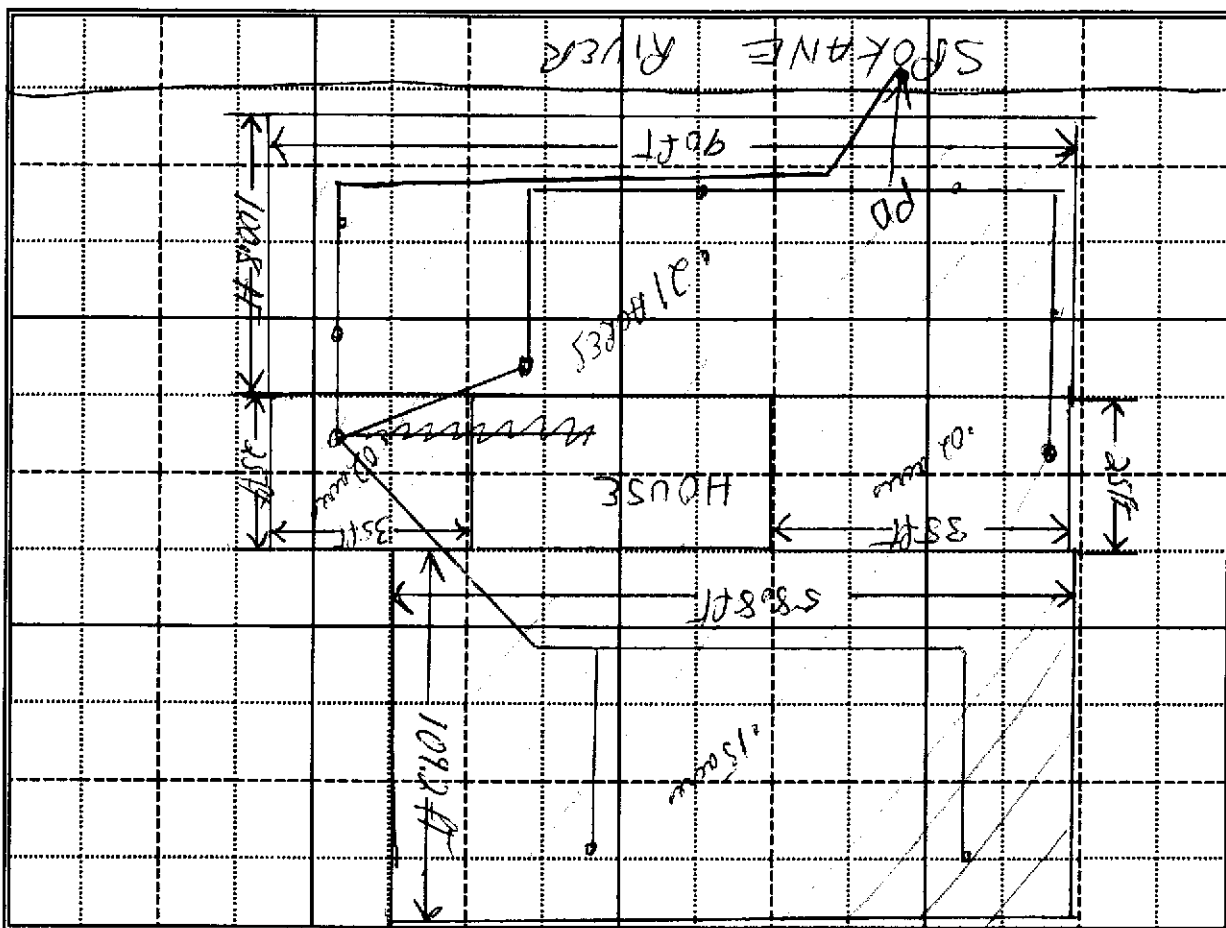
D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E.	1.5	SKR395W0757	MYERS	9860793 1 1/2"

4.

Scale: 1" = _____
Copy of USGS Quadrangle Attached Showing location(s) of _____
Aerial Photo Attached (required for irrigation of 10+ acres) _____
Photo of Diversion and System Attached _____



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

[illegible]

UNCLASSIFIED
AUG 28 1995

Additional Computation Sheets Attached

F. FLOW CALCULATIONS

Measured Method:

5941 Buckets

$$15 \text{ gpm} \times 133681 = 2005215$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 3 = 15$$
$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 103 \times 245 \times 1.9835 = 4946$$
$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 15$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

103-15

Period of Use

From 03-15 To 11-15

Rate of Diversion

Q (cfs) 103

Annual Volume

V (afa) 15

2. 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

I. AUTHENTICATION

Field Examiner's Name

Wayne Buckner

Date

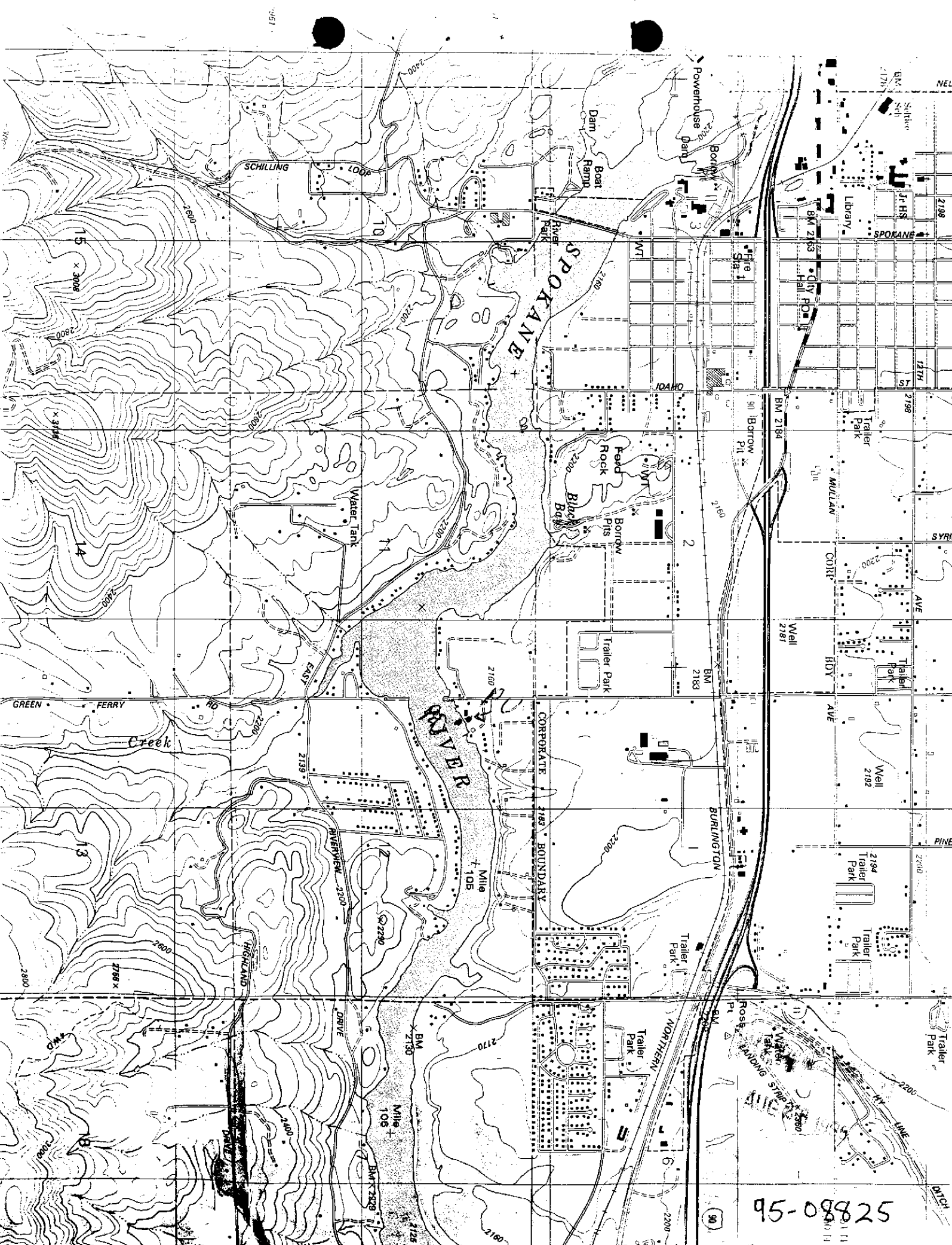
6-13-95

Reviewer

SEAL

NOT RECORDED

AUG 28 1995





PD

PD

MAINTENANCE

AUG 28 1995

95-08825

August 10, 1994

CLYDE H SHEPPARD
2500 E MARINE DR
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08825

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

SEP 12 1994

July 31, 1994

CLYDE H SHEPPARD
2500 E MARINE DR
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08825

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 October 1, 1994. (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.

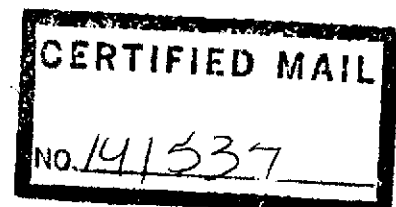
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

SEP 12 1994





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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 7, 1993

CLYDE H SHEPPARD
2500 E MARINE DR
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08825

Dear Permit Holder(s):

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

OCT 28 1993

95-08825

SHEPPARD, CLYDE H
E 2500 MARINE DR
POST FALLS, ID 83854

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 4 (SWNW) Sec 12 T 50N R 05W in KOOTENAI County.

Use: IRRIGATION (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 7/28/1993

In: KOOTENAI County
T50N R05W S12

NWNW

SWNW

1.0 ACRES TOTAL

RECORDED

OCT 28 1993

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Ken Alexander

being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

legal notice

of which the annexed is a printed copy, was published in the regular *THURS* issue of said newspaper for *2* consecutive *weeks* commencing on the *19th* day of *August*, 19*93*, and ending on the *26th* day of *August*, 19*93*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Ken Alexander

Subscribed and sworn to before me this *26th* day of *August*, 19*93*

Roberta Manley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

ROBERTA MANLEY
My commission expires *2-5-99*

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08824

EMERALD ESTATES WATER ASSN
INC.

PO BOX 1082

HAYDEN, ID 838351082

Source: GROUNDWATER

Diversion Pt: NESE Sec 11 T 51N R 04W
in KOOTENAI County.

Use: IRRIGATION (1.080 CFS)
DOMESTIC (.500 CFS)
Total Diversion: (1.320 CFS)

Date Filed: 7/28/1993

In: KOOTENAI County

T51N R04W S12 SENW NESW

54.0 ACRES TOTAL

95-08825

SHEPPARD, CLYDE H

E 2500 MARINE DR

POST FALLS, ID 83854

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 4 (SWNW) Sec 12 T
50N R 05W in KOOTENAI County.

Use: IRRIGATION (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 7/28/1993

In: KOOTENAI County

T50N R05W S12 NWNW SWNW

1.0 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 Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before SEPTEMBER 7, 1993.

R. KEITH HIGGINSON, Director

Legal 829

Aug. 19, 26, 1993

RECEIVED

AUG 27 1993

NORTHERN REGION
IDWR



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION,

(208) 769-1450

Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

~~(208) 769-1450 x1111 (208) 769-2000 x~~

Fax (208) 769-1454

CECIL D. ANDRUS

Governor
August 12, 1993

R. KEITH HIGGINSON
Director

Mr. Clyde H. Sheppard
E. 2500 Marine Dr.
Post Falls, Id. 83854

Re: Water Appropriation Application No. 95-8825.

Dear Mr. Sheppard:

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. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

OCT 28 1993

July 20, 1993

Mr. Clyde Sheppard
E. 2500 Marine Dr.
Post Falls, ID 83854

RE: Application for Permit.

Dear Sir:

We are returning your Application for Permit along with Receipt Number N006549 for the amount of \$30.00.

Your Application for Permit is not acceptable at this time. Please review the following items.

ITEM NUMBER 3. (POINT OF DIVERSION)

The legal description for the point of diversion must be listed to the nearest 40-acre tract (for example: NE1/4 SW1/4) Section, Township and Range as established by the Public Land Survey. The Point of Diversion description should reflect the same location as marked on the map.

ITEM NUMBER 9. (PLACE OF USE)

This item must be completed by listing the location of all proposed water uses to the nearest 40 acre tract. This may be done by following these steps: First insert Township (Twp.) Ranges (Rge.), Sections (Sec); next, identify each use and location of that use within the section by placing the indicated symbol in the appropriate box as shown below.

STOCKWATER = S; DOMESTIC = D; COOLING = L; FISH PROPAGATION = H;
RECREATION = R; COMMERCIAL = C; FIRE PROTECTION = F; INDUSTRIAL = I;
MINING = X; AESTHETICS = J; GROUNDWATER RECHARGE = E; WILDLIFE = W;
HEATING = G; MUNICIPAL = M; POWER = P;
IRRIGATION = (NUMBER OF ACRES TO BE IRRIGATED IN EACH 40 ACRE TRACT);

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	3	S	D	L	I	20	10	6										36

This example shows that within Township 50 North, Range 4 West, Section 3, there is Stockwater use in the NE1/4 NE1/4; Domestic use in the NW1/4 NE1/4; Cooling (L) in the SW1/4 NE1/4; Industrial in the SE1/4 NE1/4; and irrigation of 20 acres in the NE1/4 NW1/4, 10 acres in the NW1/4 NW1/4 and 6 acres in the SW1/4 NW1/4, for a total of 36 irrigated acres.

APPROVED
OCT 28 1993

Mr. Clyde Sheppard
Page two
July 20, 1993

(MAP)

I have included a map with your Application for Permit. Please mark where your point of diversion (source) and Place of use are located.

The property listed in this item must be the same property as shown on the map. If you need assistance determining legal description, I may be able to do so upon your request, if the required information is on the map.

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

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Permit and Receipt.

RECORDED

OCT 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant CLYDE H SHEPPARD Phone 773-9116
Post office address E 2500 MARINE DRIVE, POST FALLS, ID 83854
2. Source of water supply SPOKANE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is N.W. $\frac{1}{4}$ of _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot 4
Sec. 12 Township 50 NORTH Range 5 W.B.M. Kootenai County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for IRRIGATION purposes from MAY to NOV (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2" PVC Pipe From
PUMP. 70FT parallel WITH Spokane River then North along
property line 325 FT. Pump Capable of 18-22 gals/min @ 58-60 psi
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 _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 yr years (minimum 1 year).

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- 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	
	SW	12	0.5																0.5

Total number of acres to be irrigated 0.5

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

11. a. Who owns the property at the point of diversion? CLYDE H SHEPPARD

b. Who owns the land to be irrigated or place of use? CLYDE H SHEPPARD

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: _____

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

[illegible]

Scale: 2 inches equal 1 mile.

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

Clyde H. Sheppard
(Applicant)

OCT 28 1993
5/18/93

Received by MA Date 5/19/93 Time 2:00 PM Preliminary check by _____
Fee \$ 30.00 Receipted by MA # N6549 Date 5/19/93
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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:

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