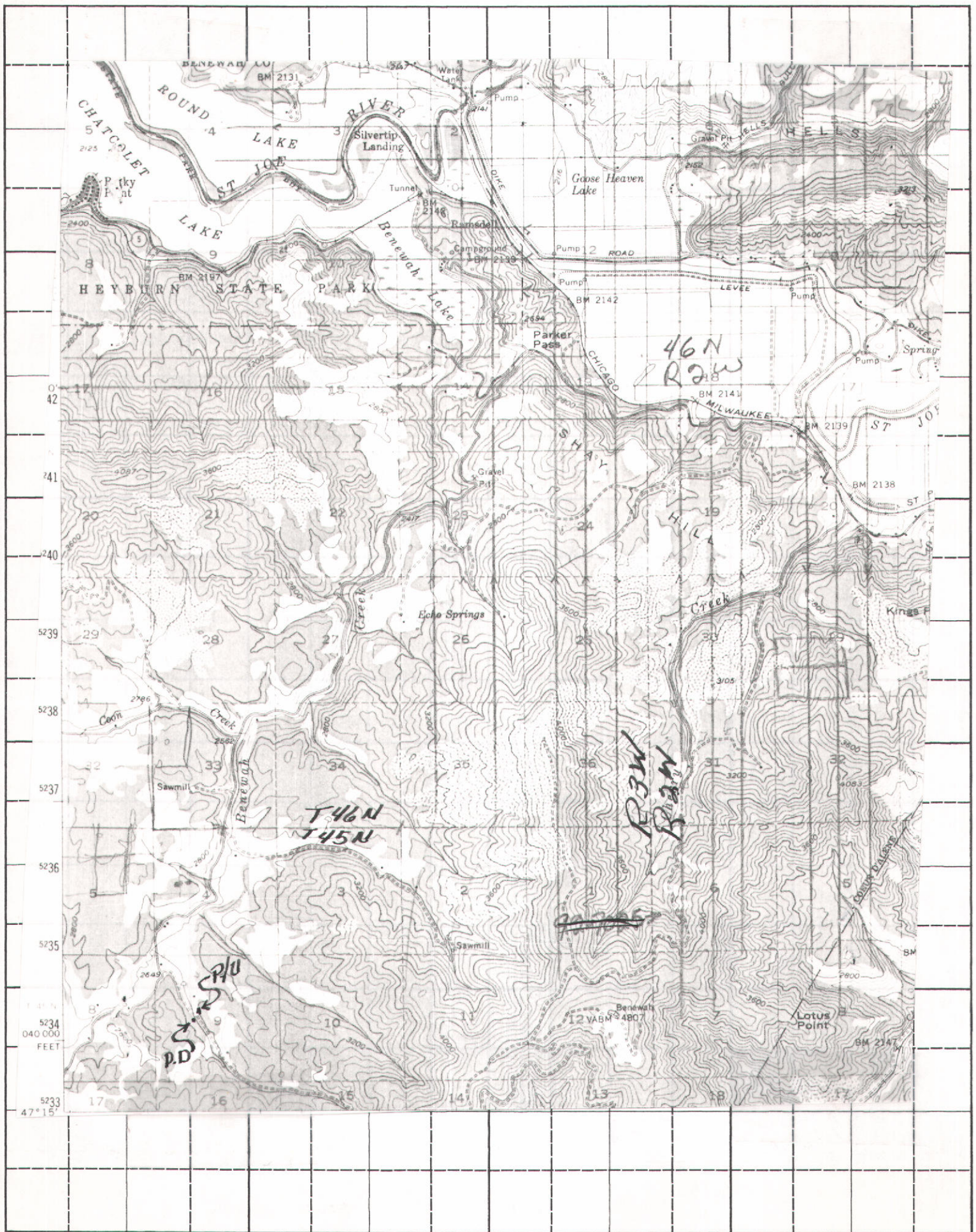


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

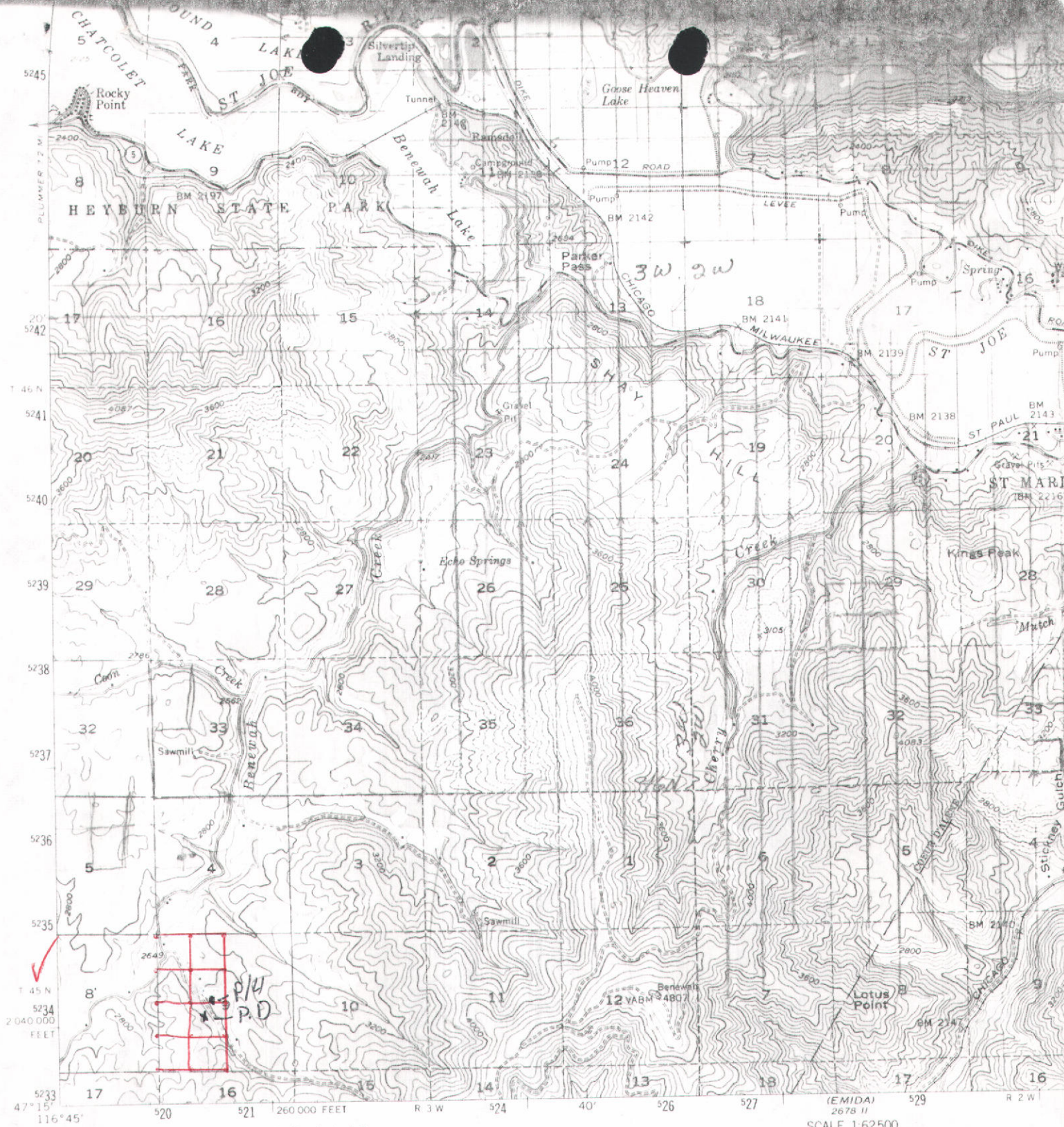


Scale: 2 inches equal 1 mile.

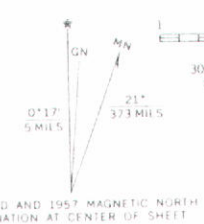
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Steven J. Luaka
(Applicant)

MICROFILMED



Mapped, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 Topography from aerial photographs by ER-55 plotter
 Aerial photographs taken 1954. Field check 1957
 Polyconic projection 1927 North American datum
 10,000 foot grid based on Idaho coordinate system,
 west zone
 1000 meter Universal Transverse Mercator grid ticks,
 zone 11, shown in blue
 Red tint indicates areas in which only
 landmark buildings are shown
 Dashed land lines indicate approximate locations
 Unchecked elevations are shown in brown



CONTOUR INTERVAL 80 FEET
 DASHED LINES REPRESENT 40 FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR WASHIN
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON R

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-8109 Priority June 19, 1981 Amount 0.04 cfs

THIS IS TO CERTIFY, that Steven or Peggy Cuvala
of St. Maries, Idaho, has complied with the terms and conditions of Permit
No. 95-8109 issued pursuant to Application for Permit dated June 19, 1981,
and has submitted proof to the Department of Water Resources on July 21, 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 0.04 cfs of water from a spring,
tributary to Benewah Creek, 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
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.2</u> acre feet
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>1.2</u> acre feet
<u>(1 Unit)</u>	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
1.4 acre feet per year, said waters to be diverted within the NE 1/4 SW 1/4 Section 9,
Twp 45N, Rge 3W in the County of Benewah

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
45N	3W	9							X										

Total number of acres irrigated _____

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CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1ST day of NOVEMBER, 19 85.

Acting for the Director
Norman Young

148

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 Steven or Peggy Cuvala Phone 245-2367
Post office address Box 146, St. Maries, Id.

2. Source of water supply Spring which is a tributary of Benewah Cr.

3. Location of point of diversion is ~~SE~~ ^{NE} $\frac{1}{4}$ of ~~SW~~ ^{SW} $\frac{1}{4}$ of Section 9 Township 45N
Range 3W B.M. Benewah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.02 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. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump (submersible) in spring
with pipe line to place of use

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:

(1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 45N
Range 3W 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 10

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

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

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Total number of acres to be irrigated

None

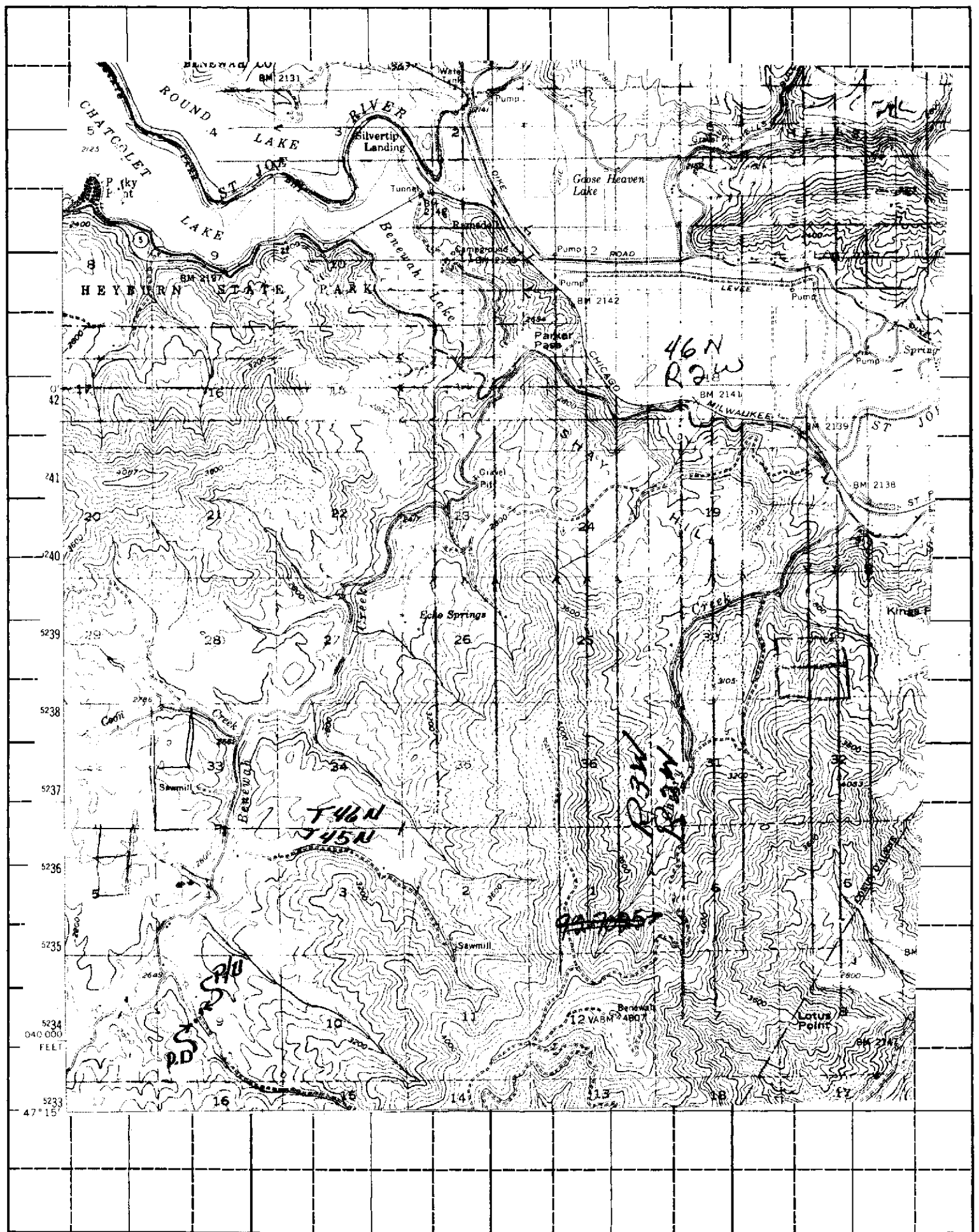
ddp

ddp

applicant to make this filing.

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.

Steven J. Luaka
(Applicant)

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Proposed Priority 6/19/1981

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Received by X Date 6-19-81 Time 11:00 AM
Preliminary check by X Fee \$ 30.00
Received by X Date 6/19/81 (18194)
Publication prepared by Mr. Thomas Wright Reed Date 6/25/81
Published in Idaho State Record
Publication dates 7/1+2/81
Publication approved Mr. Reed Date 7/13/81
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Mr. Reed

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. 95-8109, 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 September 1, 1982.
- 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:

Witness my hand this 26th day of August, 1981.

D. Allen Saylor
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 1 day of July, 1981 and the last on the 8 day of July, 1981.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this 8 day of July, 1981

Beverly A. Linn

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

95-8109

Name: Steven and-or Peggy Cuvala
Address: P.O. Box 146, St. Maries, Idaho 83861

Date Filed: June 19, 1981

Amount: 0.04 cubic feet per second

Source: Spring tributary to Benewah Creek

Means: Pump and Pipeline

Point of Diversion: NESW Sec 09 T 45N R 03W, Benewah County

Place of Use: SENW Sec 09 T 45N R 03W

Use: Stockwater (0.02 cfs) from Jan. 1 to Dec. 31; Domestic (0.02 cfs) from Jan. 1 to Dec. 31.

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, Idaho 83814, on or before July 20, 1981.

A KENNETH DUNN
Director

No. 6536 — July 1-8

OK
7/13/81

RECORDED
INDEXED

November 1, 1985

RE: Permit No. 95-8109

Steven or Peggy Cuvala
Box 146
St. Maries, ID 83861

Dear Mr. and Mrs. Cuvala:

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

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Examiner's Signature _____

Date _____

58-78-9
2/3/83
11/83

☒ None

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

Recommended Amendments:

[illegible]

Place(s) of Use

Point(s) of diversion: NE 504, Sec 9, T 46N, R 3W

per attached map

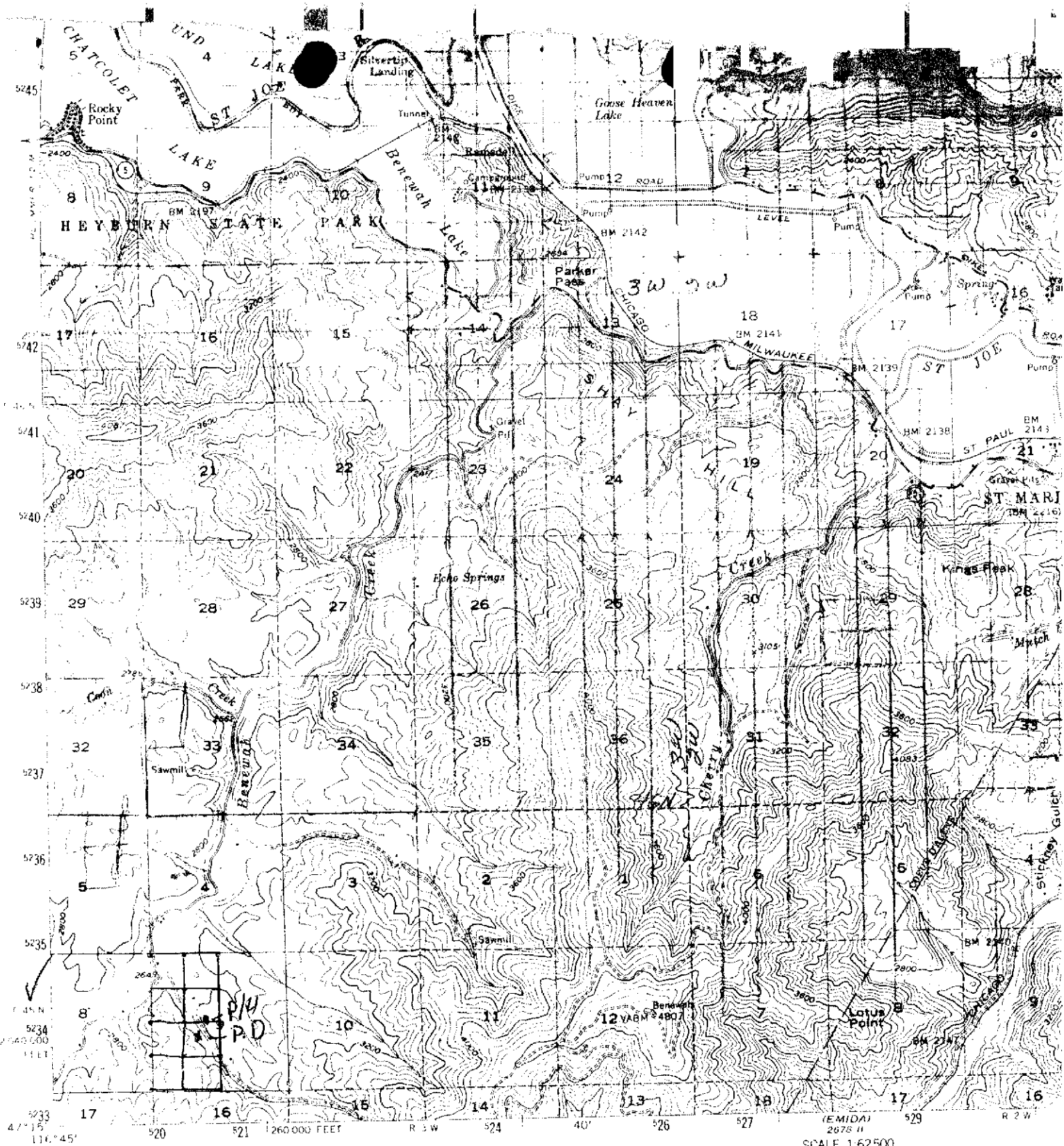
(Include distance from pump to measuring device, if applicable.)

SCHEMATIC DIAGRAM OF SYSTEM

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MAP (Attach Aerial Photo)

CONFIDENTIAL



Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by E.R. Spangler

Aerial photographs taken 1954. Field check 1957

Polyconic projection. 1927 North American datum

10,000 foot grid based on Idaho coordinate system.

Zone 11. Universal Transverse Mercator grid ticks.

Zone 11. shown in blue

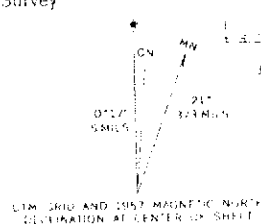
Red tint indicates areas in which only

landmark buildings are shown

Dashed land lines indicate approximate locations

of unlocated elevations are shown in brown

SCALE 1:62,500



CONTOUR INTERVAL 50 FEET
DASHED LINES REPRESENT APPROXIMATE
DATUM OF MEAN SEA LEVEL

THE MAP CONFORMS WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225 OR WASHIN
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON F

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NATIONAL FOR

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 95-8109.

Name(s) of Permit Holder: Steven + Peggy Cuvila

Post Office Address: P.O. Box 146

St. MARIES, IDAHO 83861 Tel. No. 245-2367

Source of Water: SPRING w/ pump

Extent of Use: ☒ Domestic ONE (number of households)
☒ Stockwater CATTLE (number and type of stock) NONE AT TIME
☐ 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.

7/19/82
Date

MICROFILMED

Steven Cuvila
Signature of Permit Holder

CUVANA
P.O. BOX 146
ST. MARIES, IDAHO 83861



RECEIVED



JUL 21 1982

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

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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

October 8, 1982

Steven Cuvala
Bx 146
St. Maries, ID 83861

RE: 95-8109

Dear Sir:

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/fms

cc: IDWR - State Office

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138359

CUVALA, STEVEN & PEGGY
P.O. BOX 146
ST. MARIES, ID 83861

JUNE 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-8109 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

CUVALA, STEVEN & PEGGY
P.O. BOX 146
ST. MARIES, ID 83861

SEPTEMBER 01, 1981

RE: PERMIT NO. 95-8109

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

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY:

APPLICATION NUMBER: 95-8109

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. Copies sent by: Date:
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other

PROCESSING:

- ☐ Yes ☐ No Platted by: Map No.
☐ Yes ☐ No Other rights on same place of use.
☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: 7/20/81 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/13/81 ✓
☒ 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?
☒ 6/17/81 Date of priority recommended.
☒ Special conditions of approval or cover letter.

By: Date: 7/21/81

STATE OFFICE REVIEW:

☐ See attached sheet for more information.

By: Date: 7/30/81

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95-8109

CUVALA, STEVEN &/or PEGGY

P.O. BOX 146, ST. MARIES, ID 83861

Source: SPRING tributary to BENEWAH CREEK

Date Filed: 06/19/1981

Amount: 0.04 CFS

Diversion Point: NESW Sec 09 T 45N R 03W, BENEWAH Co.

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

Place of Use: SENW Sec 09 T 45N R 03W

Diversion Means: PUMP AND PIPELINE.

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