

STATE OF IDAHO,)
County of Shoshone.) ss.

PROOF OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Otis M. Fenel 966 7th, Coeur d'Alene, Id., has on Oct. 12, 1977 submitted Application No. 94-7111 for a permit to appropriate 0.04 cubic feet per second of water from an unnamed spring, tributary of Teepee Creek by means of a pump & pipeline within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, T51N, R1E, B.M., Shoshone Co. to be used from Jan. 1 to Dec. 31 for domestic purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, T51N, R1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before November 14, 1977.

C. STEPHEN ALLRED
Director

Oct. 27, Nov. 3, 1977

Michael Green, being first duly sworn,
deposes and says:

That he is the Editor of the North Idaho Publishing Company, publishers of the North Idaho Press, a daily newspaper printed and published at Wallace, Shoshone County, State of Idaho, which said newspaper has a general circulation in said county, and has been continuously and uninterruptedly printed and published in said county during a period of twelve (12) consecutive months prior to the 27 day of October A.D., 1977. That the Legal Notice of which a complete and correct copy is hereto attached, was first published in said newspaper in its issue dated the 27 day of October A.D., 1977 and published in Two (2) issues of said newspaper, the last publication thereof being in the issue dated the 3 day of November, A.D., 1977.

Michael J. Green

Subscribed and sworn to before me this
7 day of November, A.D., 1977.

Harris Counville

Notary Public for the State of Idaho
residing at Wallace, Idaho

My commission expires Sept 25, 1981

OK
11-8-77

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 94-7111 Priority October 12, 1977 Amount .04 cfs

THIS IS TO CERTIFY, that OTIS M. FENCL
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 94-7111 issued pursuant to Application for Permit dated October 12, 1977,
and has submitted proof to the Department of Water Resources on July 7, 1980,
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 .04 cfs of water from an unnamed spring,
tributary to Teepee 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
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u>	at <u>.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than .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
1.2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 51N,
Rge. 1E, B.M. in the County of Shoshone

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$
51N	1E	12																

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of
December, 19 80.

Director

MICROFILM

Identification No. _____

Application No. 94-7111

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Otis M. Fencil Phone: 664-6495
post office address 966- 7th Coeur d'Alene, Ida.
2. Source of water supply Unnamed Spring which is a tributary of Teepoo Creek
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 51N
Range 1E B.M. Shoshone County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose 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. Pitcher pump.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12 Township 51N
Range 1E B.M. _____
(2) Amount of power to be generated: _____ hp 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 one.
(5) If water is to be used for other purposes describe: _____

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

A 10x10 grid representing a map. The grid is composed of solid lines forming a 10x10 array of squares. Each square is further divided by dashed lines into a 4x4 array of smaller squares. In the center of the grid, at the intersection of the 4th column and 5th row, the text "A-RD" is handwritten. To the right of this, at the intersection of the 5th column and 5th row, the text "Place of use." is handwritten. A line is drawn from the "Place of use." text to the "A-RD" text.

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.

x Oliver M. Fencil
(Applicant)

Proposed Priority 10/12/77

Received by VP Date 10-12-77 Time 10:30 A

Preliminary check by VP Fee \$ 10.00 (9450)

Received by VP Date 10-12-77

Publication prepared by VP Date 10-13-77

Published in Great Idaho News Volume

Publication dates Oct 27 & 28, 1977

Publication approved VP Date 10-8-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by VP

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. 94-7111, 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 January 1, 19 83.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 29 day of January, 19 78.

DEPUTY Director

STATE OF IDAHO,
County of Shoshone.

ss.

PROOF OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Otis M. Fenel 966 7th, Coeur
d'Alene, Id., has on Oct. 12,
submitted Application
94-7111 for a permit to ap-
propriate 0.04 cubic feet per
second of water from an un-
derground spring, tributary of
Bee Creek by means of a
pump & pipeline within the
NW 1/4 SE 1/4 Sec. 12, T51N,
R1E, B.M., Shoshone Co. to be
used from Jan. 1 to Dec. 31 for
domestic purposes within the
NW 1/4 SE 1/4 Sec. 12, T51N,
R1E, B.M.

If issued, this permit will be
subject to all prior water
rights. Protests against the
granting of the permit must
be filed with the Idaho
Department of Water
Resources, 4055 Government
Way, Coeur d'Alene, Idaho
83814, on or before November
14, 1977.

STEPHEN ALLAN
Director

Oct. 27, Nov. 3, 1977

Michael Groen, being first duly sworn,
deposes and says:

That he is the Editor of the North Idaho
Publishing Company, publishers of the North Idaho Press, a daily news-
paper printed and published at Wallace, Shoshone County, State of
Idaho, which said newspaper has a general circulation in said county,
and has been continuously and uninterruptedly printed and published
in said county during a period of twelve (12) consecutive months prior
to the 27 day of October A.D., 1977. That the Legal Notice
of which a complete and correct copy is hereto attached, was first pub-
lished in said newspaper in its issue dated the 27 day of October
A.D., 1977 and published in Two (2) issues of said newspaper, the
last publication thereof being in the issue dated the 3 day of
November, A.D., 1977.

Michael Groen
Subscribed and sworn to before me this

2 day of November, A.D., 1977.

Paris Counsellor

Notary Public for the State of Idaho
residing at Wallace, Idaho

My commission expires

Sept 25, 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

December 23, 1980

Otis M. Fencil

966 - 7th

Coeur d'Alene, Idaho 83814

Dear Mr. Fencil,

RE: License No. 94-7111

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

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure

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REPORTS

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUL 12 1980

Department of Water Resources

94-7111

Permit No.

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

- | | | | | |
|--------------------------|--|---------|----|------------------|
| ☐ | Appointment letter mailed: | | | |
| ☐ | Telephone call made:
(List Telephone No. used) | | | |
| ☐ | Appointment scheduled for:
(Date, time, location) | 6-24-80 | JK | 1:PM 966 7th CDA |

EXAMINATION

Date 6-24-80 Accompanied by Otis French Total Q measured —

If source is surface water, estimate total flow of source 100

Methods of measurement (Est) Meets Permit requirements? yes

Measurement calculations:

One home $\frac{1}{2}$ acre in, no stock ✓

[illegible]

System Description ^{#1} Developed spring with 2' mud & timber dam with pipe line to house
for summer use. ^{#2} - Developed spring with pitcher pump.

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

Irrigation requirement = AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
domestic	0.04	1.2	1.1	12.31

Total

0.04

1. 2

Remarks *In winter pipes freeze on #1 spring. Uses #2 spring during this time.*

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Signature

6-24-80 Date
6/30/80 Date
12/8/80 Date

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

[illegible]

Place(s) of Use

Point(s) of diversion: NW SE, 8, 12, 5, 1N, 1E

SCHEMATIC DIAGRAM OF SYSTEM

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

[illegible]

MAP (Attach Aerial Photo)

July 16, 1980

Otis Fencil
966 7th
Coeur d'Alene, ID 83814

Dear Mr. Fencil:

Re: Permit No. 94-7111

This office acknowledges receipt of the statement of beneficial use and it is our understanding that a representative from our regional office has completed the field examination on the abovepreferred water right. Please be advised that a water right license will be forthcoming.

Sincerely,

RITA FLECK
Sr. Secretary

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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. 94-7111.

Name(s) of Permit Holder: Otis Fencil

Post Office Address: 966-7th Coeur d'Alene

Tel. No. _____

Source of Water: _____

Extent of Use: ☒ Domestic _____ (number of households)
☐ Stockwater _____ (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.

Date _____

Otis M. Fencil
 Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

JUL 7 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

February 1, 1978

Re: Permit No. 94-7111

Otis M. Fencil
966 7th
Coeur d' Alene, ID 83814

Dear Mr. Fencil:

Enclosed is a copy of your approved Application for Permit No. 94-7111. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

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DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 94-7111 final

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RAH 10/3/77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) RAH 10-13-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) 11-8-77

(12) _____

Final date for protests 11/14/77
Protests received: yes _____ no /

(13) _____

All requested information received from agencies or applicant: yes / no _____

(14) _____

Action recommended:

/ Approve _____ Deny

10-12-77 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

/ No special conditions for approval

(15) District Northern

By Bob Hayes

Date 11-16-77

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

October 13, 1977

RE: Application No. 94-7111

North Idaho Press
507 Cedar
Wallace, Id 83873

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

Bill received
11-8-77
\$

MICROFILMED



966 7th, Coeur d'Alene, Id

has on Oct 12, 1977 submitted Application No. 94-7111

for a permit to appropriate 0.04 cubic feet per second ~~xxxxxx~~ acre feet per annum

of water from an unnamed spring, tributary of Teepee Creek

by means of a pump & pipeline

within the NE 1/4, Sec 12, T51N, R1E, B.M., Shoshone Co

to be used from Jan 1 to Dec 31

for domestic purposes

within the NW 1/4, Sec 12, T51N, R1E, B.M.

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C. STEPHEN ALLRED
Director

Published in the North Idaho Press, Wallace, Id

on October 27 and November 3, 1977

SECRET