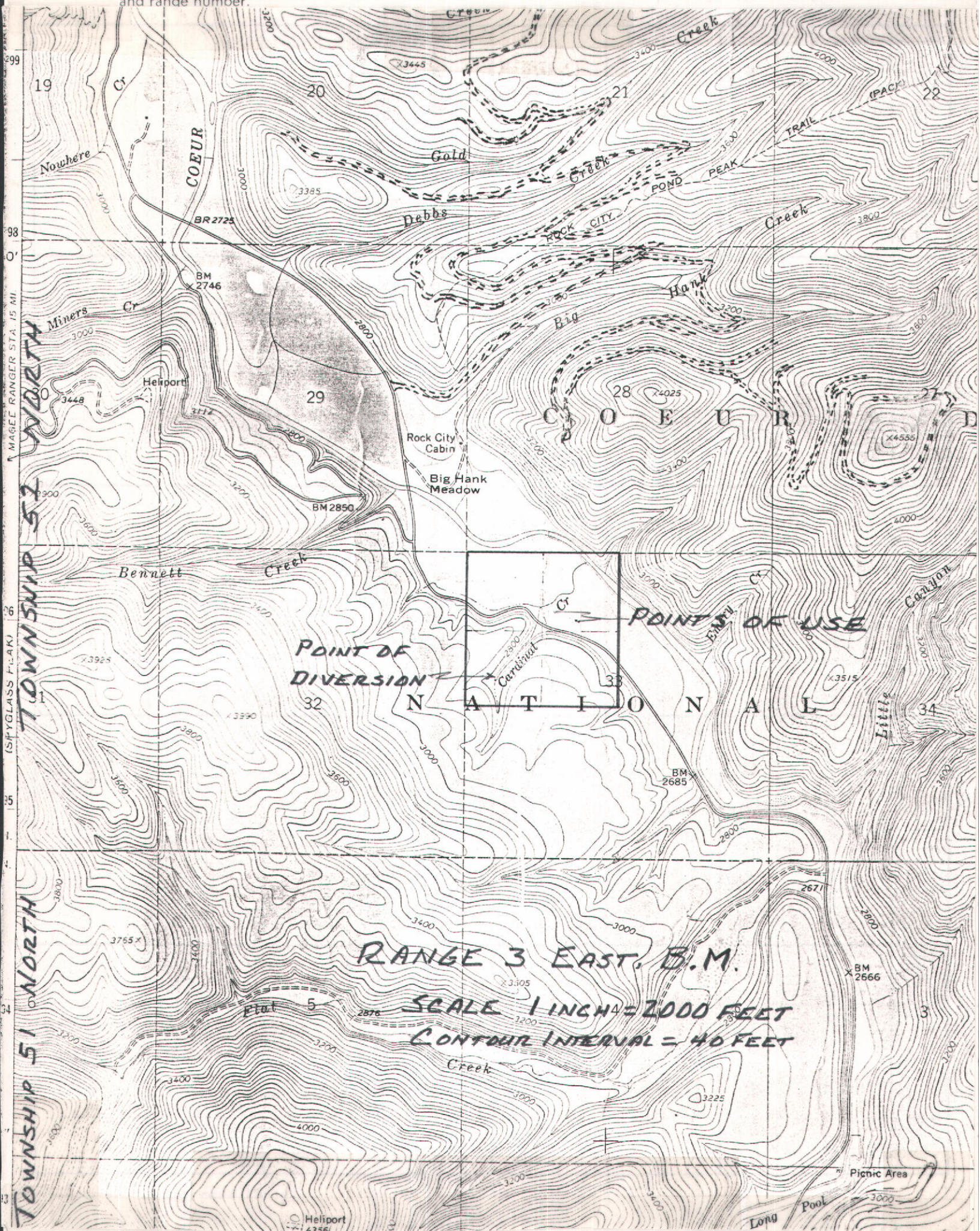


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

J. Pat Ferguson
(Applicant)

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

PROOF OF PUBLICATION

RECEIVED

APR 20 1977

Legal Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. Pat Ferguson, P. O. Box 1063, Wallace, Idaho has on March 29, 1977 submitted Application No. 94-7096 for a permit to appropriate 0.14 cubic feet per second of water from Cardinal Creek, tributary of Coeur d'Alene River by means of storage tanks and pipeline within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 52N, R. 3E, B.M., Shoshone County to be used from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs); and from June 1 to Nov. 1 for the irrigation of 5 acres (0.10 cfs) within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 52N, R. 3E, 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 April 25, 1977.

Director

Apr. 7, 14, 1977

Michael Green
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 7 day of April 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 7 day of April A.D., 1977 and published in Two (2) issues of said newspaper, the last publication thereof being in the issue dated the 14 day of April, A.D., 1977.

Michael J. Green

Subscribed and sworn to before me this
15 day of April, A.D., 1977.

Doris Gounville

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

My commission expires September 25, 1977

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

PROOF OF PUBLICATION

Department of Water Resources
Northern District Office

APR 20 1977

RECEIVED
being first duly sworn,

Legal Notice

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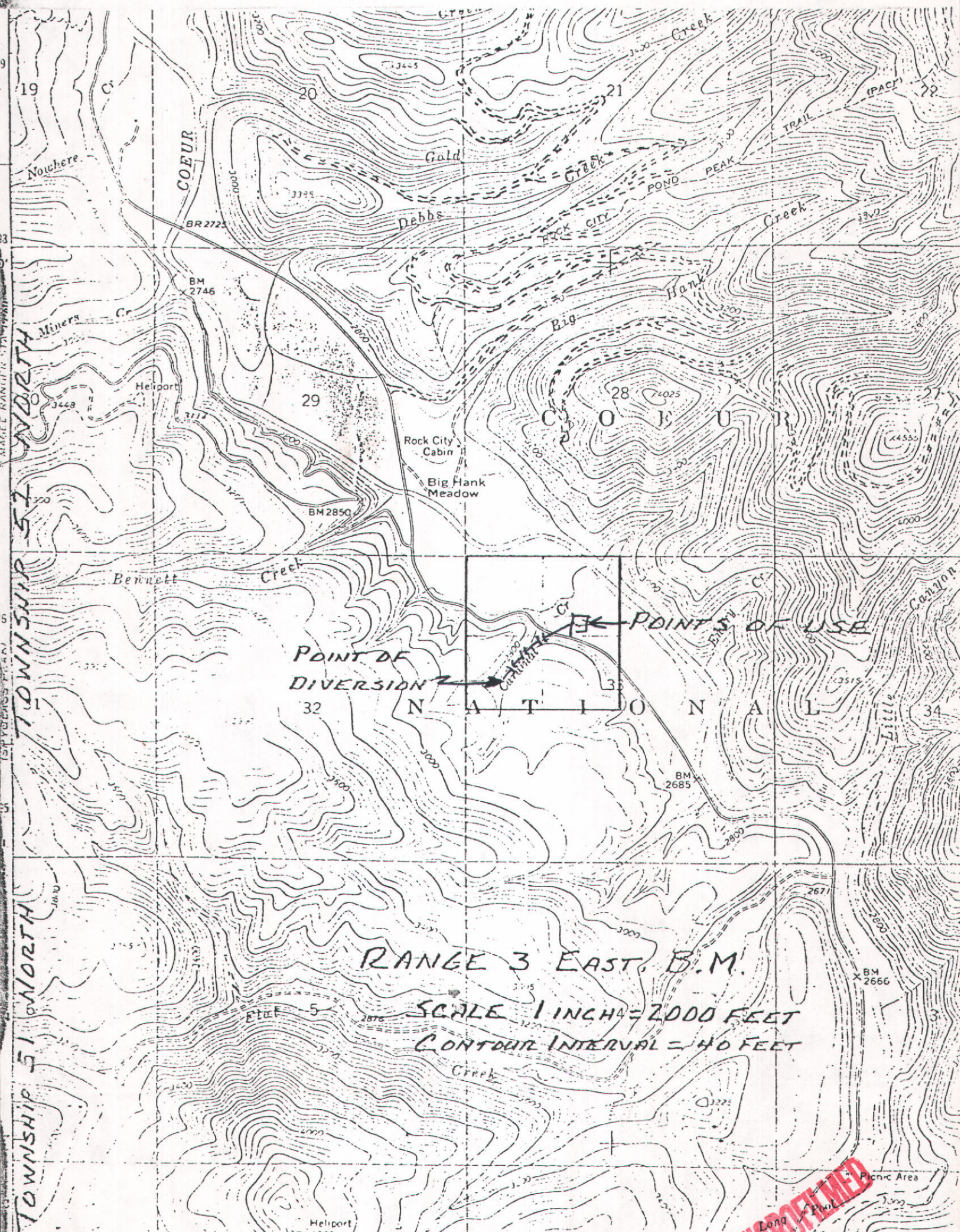
Michael J. Green

Subscribed and sworn to before me this
15 day of April, A.D., 1977.

Dois Bonnaville

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

My commission expires September 25, 1977



NOT REPRODUCED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 94-7096 Priority March 29, 1977 Amount 0.14 cfs

THIS IS TO CERTIFY, that J. PAT FERGUSON
of Wallace, Idaho, has complied with the terms and conditions of Permit
No. 94-7096 issued pursuant to Application for Permit dated March 29, 1977,
and has submitted proof to the Department of Water Resources on June 16, 1978,
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 0.14 cfs of water from Cardinal Creek,
tributary to Coeur d'Alene River, 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	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
Irrigation	from <u>June 1</u> to <u>November 1</u>	at <u>10</u> cfs and	<u>15</u> acre feet
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.14 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
16.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, Twp. 52N,
Rge. 3E, B.M., in the County of Shoshone

Description and location of place of use:

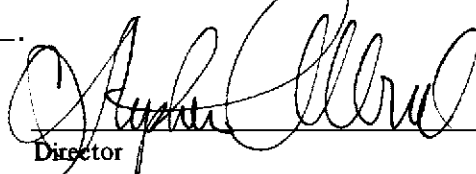
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
52N	3E	33					X(Domestic)												5

Total number of acres irrigated 5

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 31 day
July, 1979.


Director

Identification No. 94-7096

Application No. _____

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 J. Pat Ferguson Phone: 208 753 6231
post office address P.O. Box 1063, Wallace, Idaho 83873
2. Source of water supply Cardinal Creek which is a tributary of Coeur d'Alene River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 52N
Range 3E 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 0.10 for Irrigation purpose from June 1 to Nov. 1 (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. 0.14 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. For storage, two 55 gallon drums are to be buried by the stream. Approximately 1800 feet of pipe will be used to transmit the culinary water and initial water for gardening.

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 1 years.
b. Estimated construction cost is \$ 2,000.00
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 NW $\frac{1}{4}$ of Section 33 Township 52N
Range 3E 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: _____

[illegible]

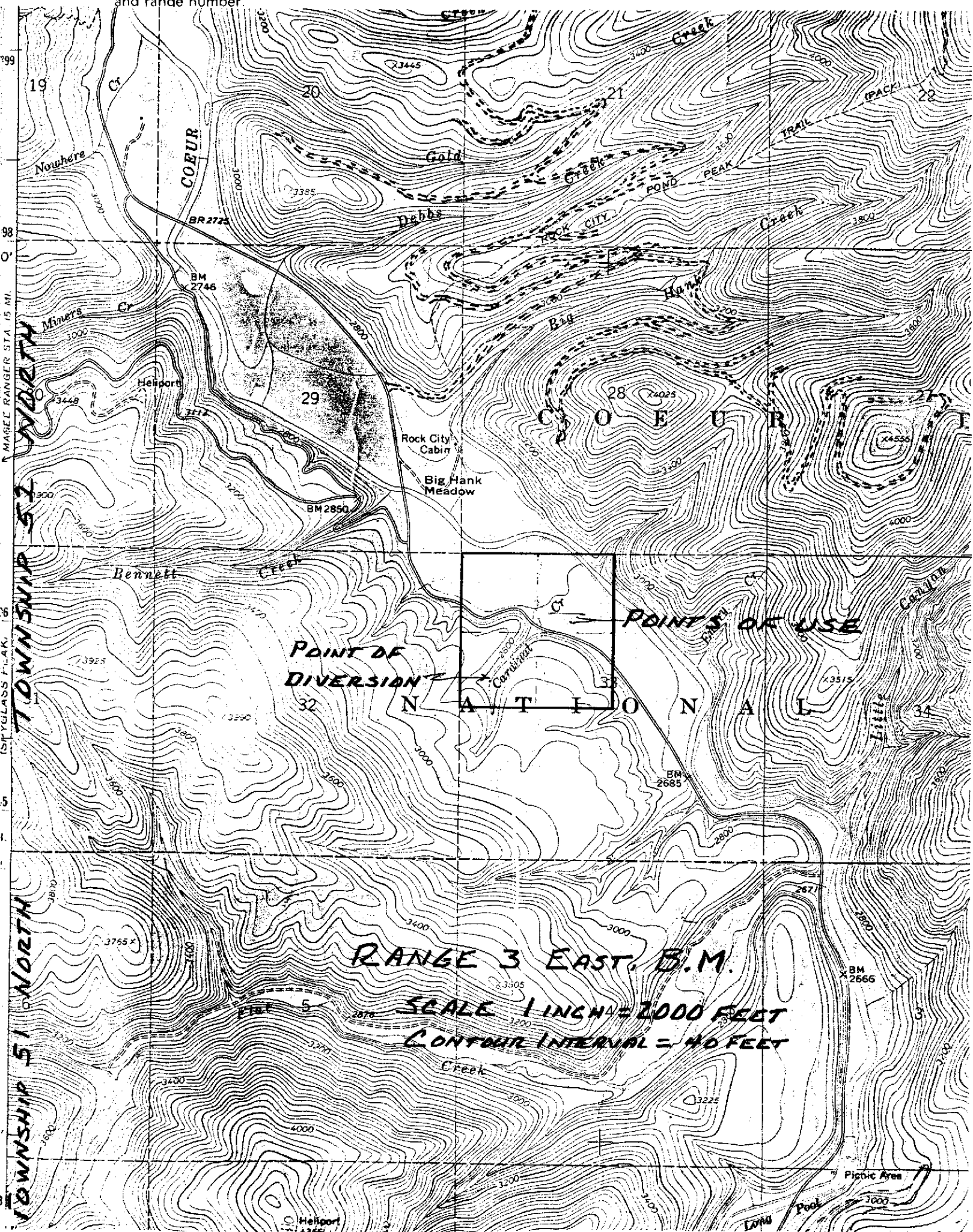
c. Describe any other water rights used for the same purposes as described above.

b. Who owns the land to be irrigated or place of use _____ (Same)

applicant to make this filing

10. Remarks	The NW 1/4 of Section 33, Township 52 North, Range 3 East, B.M., is patented land acquired through homestead entry No. 063. It is the intent of the applicant to put the land to beneficial use and to maintain a domicile.
-------------	---

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



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.

J. Pat Ferguson
(Applicant)

Proposed Priority 3/29/77

Received by CP Date 3-29-77 Time 11:00 a.m.

Preliminary check by JS Fee \$ 10.00

Received by CP Date 3-30-77 (Rec. #4982)

Publication prepared by CP Date 4-1-77

Published in North Idaho Press

Publication dates 4-7 & 4-14-77

Publication approved JS Date 4-25-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval _____ denial by JS

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. 94-7096, 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 July 1, 19 78

c. Other: _____

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

Witness my hand this 10 day of June, 19 77

Deputy Director

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

PROOF OF PUBLICATION

RECEIVED

APR 15 1977

Legal Notice

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Director

Apr. 7, 14, 1977

Michael Green

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 7 day of April 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 7 day of April A.D., 1977 and published in Two (2) issues of said newspaper, the last publication thereof being in the issue dated the 14 day of April A.D., 1977.

Michael J. Green

Subscribed and sworn to before me this 15 day of April, A.D., 1977.

Denis Gounville

My commission expires September 25, 1977

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

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

PROOF OF PUBLICATION

Department of Water Resources
Northern District Office

APR 10 1977

Legal Notice

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Director

Apr. 7, 14, 1977

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Michael J. Green

Subscribed and sworn to before me this
15 day of April, A.D., 1977.

Don Rounselle

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

My commission expires September 25, 1977

DEEDS

325831

RECEIVED

JAN 27 1987

JAN 22 1987

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

Dept. of Water Resources

Department of Water Resources
Northern District Office

THIS DEED, Made by DONALD N. FERGUSON, as Personal Representative of the Estate of JOHN PATRICK FERGUSON, deceased, Grantor, to DONALD N. FERGUSON, Grantee, whose address is P.O. Box 52, Silverton, ID 83867.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case No. 26829 in Shoshone County, Idaho; and

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee the following-described real property in Shoshone County, Idaho:

Lots 15 and 16, Block 4, AMENDED MARKWELL HOME TRACTS, Shoshone County, State of Idaho, according to the official and Recorded plat thereof.

An undivided one-half ($\frac{1}{2}$) interest in and to the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty-three (33), Township Fifty-Two (52), Range Three (3) East, Boise Meridian, including water rights thereon as evidenced by License No. 94-7096 issued by the Idaho Department of Water Resources

with all appurtenances.

EXECUTED this 31st day of October, 1986.

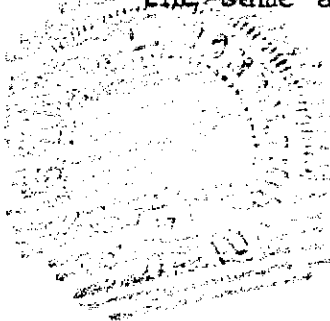
MICROFILMED

MAR 20 1987

Donald N. Ferguson
Personal Representative of the
Estate of John Patrick Ferguson,
Deceased

STATE OF IDAHO)
) ss.
County of Shoshone)

On the 31st day of October, 1986, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared DONALD N. FERGUSON, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of John Patrick Ferguson, deceased, and acknowledged to me that he executed the same as such Personal Representative.


Janet H. Zamboni
Notary Public for the State of Idaho
Residing at Laurens

RECORDED
at the request of

Charles L. A. Cox
in

Deeds

Return to:

Charles L. A. Cox
Attorney at Law
Box 659
Kellogg, ID 83837

Fee \$ 4.00

325881

FILED

'86 OCT 6 11 12 48

Janet Zamboni

RECORDED

MAR 20 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

July 31, 1979

J. Pat Ferguson
P.O. Box 1063
Wallace, ID 83872

Dear Mr. Ferguson:

RE: Water Right No. 94-7096

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

Sincerely,

J. Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES FIELD REPORT

2

1. Name of permit holder J. Pat Ferguson
 Post office address P.O. Box 1063, Wallace, ID Phone 753-6231
 Person to contact Don Ferguson Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Cardinal Creek
 Tributary to Coeur d'Alene River (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for Domestic
 AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
 (mo.-day) inclusive (mo.-day)

Amount 0.10 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from June 1 to Nov. 1
 (mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 AF/Annum (nature of use)

Period of Use: from _____ to _____
 (mo.-day) inclusive (mo.-day)

Other uses: _____

RECEIVED
 AUG 11 1974
 Department of Water Resources
 Northern District Office
 Permit No. 94-7096
 Expiration for 6/4

4. Total amount to be appropriated:

Max Rate of Diversion 0.14 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 52N N/S, Range 3E E/W, B.M., Section 33, Subdivision SW 1/4 NW 1/4 Shoshone County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions: _____

Description of diverting works: A piece of 24" dia. x 18' long perforated galvanized steel pipe w/ closed ends was placed in the stream channel for storage. A small wooden dam was constructed to cause the pipe to be covered. Approx. 1750' of 2" dia. PVC pipe were installed to connect the storage tank to the pts. of use.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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	
52N	3E	33					X												

TOTAL ACREAGE 5

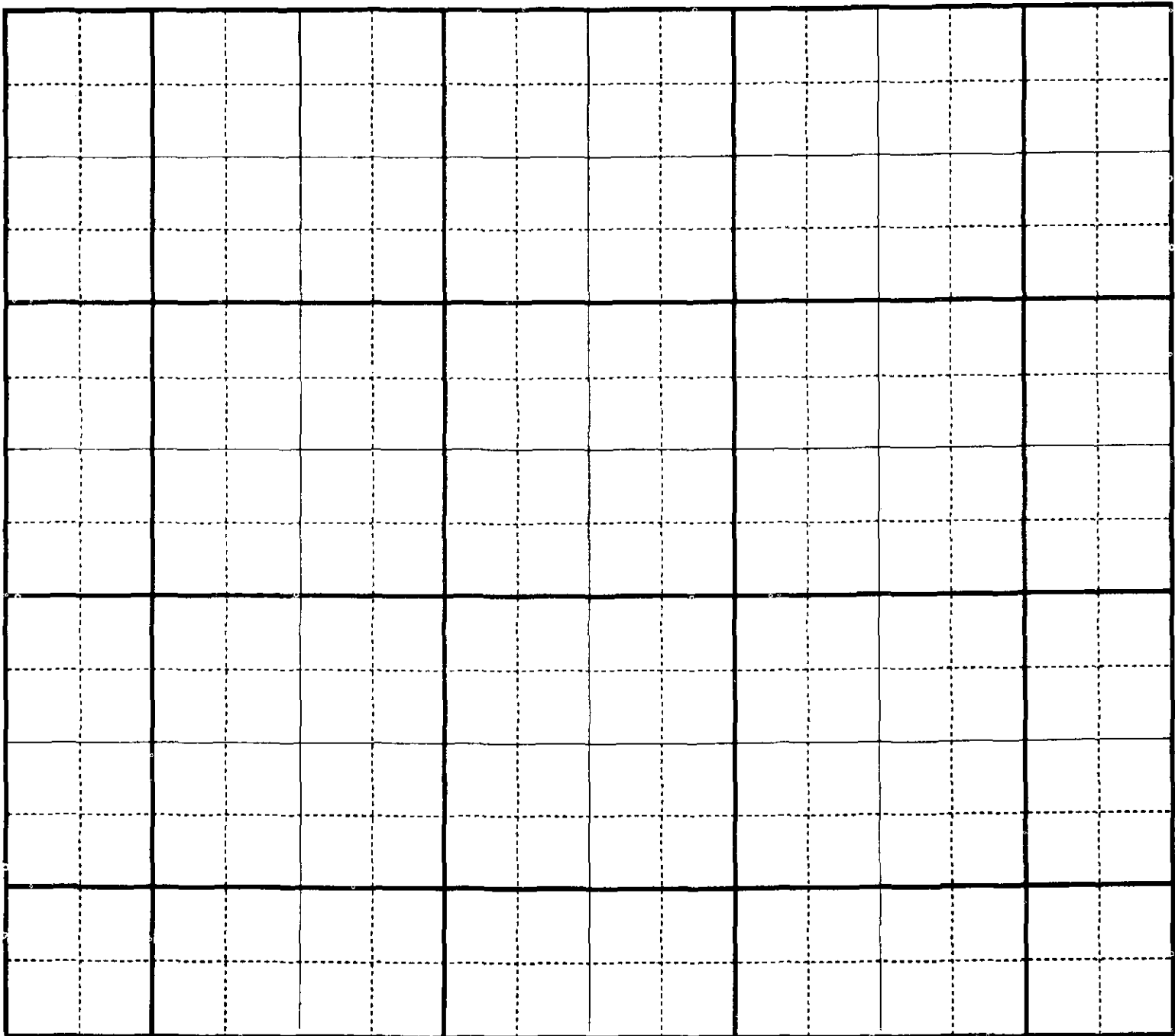


Diagram of System

ATTACHED

DATE OF EXAM 6/22/79

ACREAGE
Found 5 AC
Recommended 5 AC

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 0.10 c.f.s. V = 15 AF/Ann. from JUN 1 to Nov 1
Domestic Q = 0.04 c.f.s. V = 1.2 AF/Ann. from JAN 1 to DEC 31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.14 Method of measurement PRESSURE GAGE
& ESTIMATED

Total Q recommended 0.14 Meter No. _____ Type _____ Condition _____

Total V recommended 16.2

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

5 SPRINKLERS RAINBIRD MODEL 40B 3/16 X 1/8-20° 36 psi
 $\frac{8.83 \times 5}{448.8} = 0.10 \text{ cfs}$ $3.0 \times 5 = 15 \text{ AC/YR}$
1 ONE HOUSEHOLD - 0.04 CFS 1.2 AC/YR

SYSTEM DESCRIPTION:

18 FT CMP 24" DIA WITH HOLES PUNCHED IN UNDERSIDE. 4" OUTLET PIPE
REDUCED TO 2" THEN 1". TOTAL LENGTH PIPE TO PLACE OF USE 1750'.
DIVERSION 3 FT HIGH X 8" WIDE. PIPELINES TO IRRIGATE GARDEN & FIELD,
THEN TO HOUSE.

REMARKS:

Examiner's Signature [Signature] Date 6/22/79

Checked by Bob Haynes Date 6/29/79

Approved by _____ Date _____

ATTACHMENT TO PROOF OF APPLICATION OF WATER TO BENEFICIAL
USE - PERMIT NO. 94 - 7096

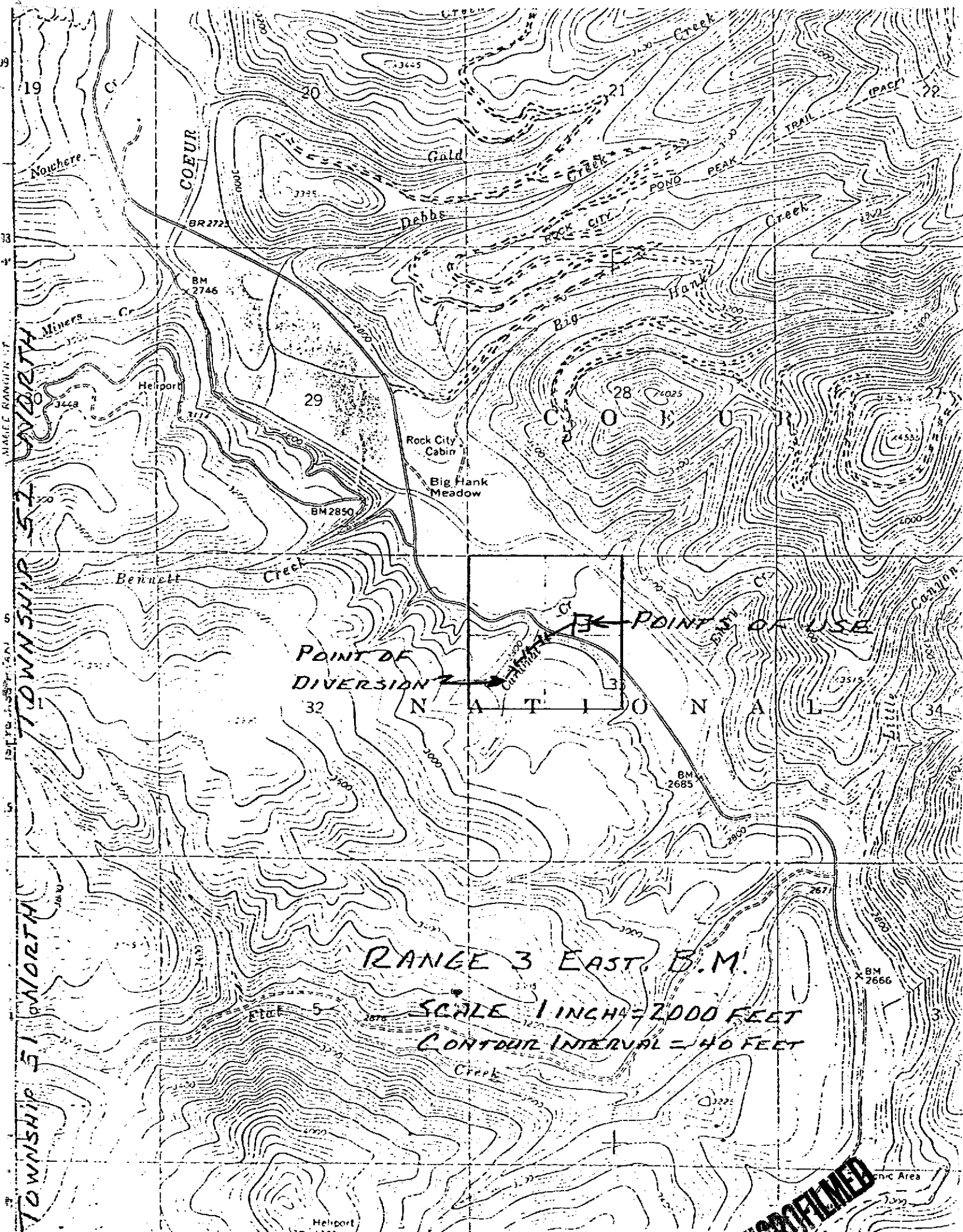
5. c) The volume of flow of Cardinal Creek was determined at the point of diversion by measuring the time required to fill a container of known capacity. This volume was determined to be approximately 0.22 cfs.

Calculations using the Hazen-Williams formula indicate the system will deliver 0.130 cfs at the irrigation site and 0.108 cfs at the site of domestic use. The total head is approximately 76 feet at both points and the length of the line is approximately 1,250 and 1,750 feet, respectively. Two inch diameter PVC pipe has been installed. Service to the area to be irrigated is by means of 2 inch and 1 inch diameter pipe. Service into the house is by means of 1, 3/4, 1/2 and 3/8 inch plumbing.

Field tests consisting of measuring the time required to fill a container of known capacity very closely checked the calculated capacity of the system. These tests indicate a delivery of 0.140 cfs at the irrigation site.

The field measurements and calculations were made by Don Ferguson, a registered professional engineer in Idaho.

MICROFILMED



MICROFILMED

August 4, 1978

Re: Permit No. 94-7096

J. Pat Ferguson
P.O. Box 1063
Wallace, ID 83873

Dear Mr. Ferguson:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights

RECEIVED MED

Identification No. _____

Permit No. _____

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JUN 16 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder J. Pat Ferguson
b) Post Office Address P. O. Box 1063; Wallace, Idaho 83873
2. Permit Number 94-7096
3. Date of Priority that you are prepared to establish March 29, 1977
4. a) Source from which water was appropriated Cardinal Creek
b) Location of the point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33
Township 52 N., Range 3E. Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 0.04 cfs for domestic purposes from 6/26/77 to present incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.10 cfs for irrigation purposes from 6/22/77 to 10/22/77 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.10 cfs for irrigation purposes from 6/3/78 to present incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.14 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Please refer to the attached sheet.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
Not applicable.
b) Describe the agreement or understanding by which you take water from the works:
Not applicable

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) A piece of 24" diam. x 18' long perforated, galvanized steel pipe with closed ends was placed in the stream channel for storage. A small wooden dam was constructed to cause the pipe to be covered. Approx. 1750' of 2" diam. PVC pipe were installed to connect the storage tank to the points of use
b) Describe the type and size of measuring device which you have installed at your point of diversion: The spill-way of the dam is constructed so that the flow can be readily caught in a container. A weir could be installed with little effort.
c) Give well driller's name and address and the date the well was completed: Not applicable

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
For domestic use at the same location.

Exam typed 8/10/78 by ja

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

Approximately 5 acres of hay and a garden area are sprinkler irrigated.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
52	3	33					5												5

Total number of acres irrigated 5

10. Remarks: I do not have the most recent aerial photograph of the area.

All of the property corners have been recently reestablished.

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

June 15, 1978
(Date)

J Pat Ferguson
(Signature)

State of IDAHO)

) ss.

County of SHOSHONE)

On this 15th day of June, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

James Korman
Notary Public residing at Wallace

My commission expires _____



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 28, 1978

CERTIFIED MAIL

138666

Re: Permit No. 94-7096

J. Pat Ferguson
P.O. Box 1063
Wallace, Idaho 83873

Dear Mr. Ferguson:

One of the conditions of approval of your water Permit No. 94-7096 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before July 1, 1978. Enclosed is an affidavit form which must 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 affidavit 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.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

MICROFILMED

June 14, 1977

Re: Permit No. 94-7096

J. Pat Ferguson
P. O. Box 1063
Wallace, ID 83873

Dear Mr. Ferguson:

Enclosed is a copy of your approved Application for Permit No. 94-7096 . 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

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 94-7086 (FERGUSON)

☒ 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) JE 3/29/77

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) JE 3/29/77

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: No field review

(11) B 4.25

Affidavit of Publication received(date) 4.22.77

(12) Q 4/1

Final date for protests April 25, 1977
Protests received: yes _____ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority B-29-77

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Noothum

By Bob Haynes Date 4-25-77

April 4, 1977

Re: Application for Permit No. 94-7096

Mr. J. Pat Ferguson
P.O. Box 1063
Wallace, ID 83873

Dear Mr. Ferguson:

Attached is your receipt No. 4982 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

April 1, 1977

Re: Application No. 94-7094 - St. Elmo Silver Mines, Inc.
" " 94-7095 - J. Pat Ferguson

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

cc: cp

Enc: Legal Notice(s)

4-25-77 bill received

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. Pat Ferguson,

P.O. Box 1063, Wallace, Idaho

has on March 29, 1977 submitted Application No. 94-7096

for a permit to appropriate 0.14 cubic feet per second ~~acres feet per annum~~

of water from Cardinal Creek, tributary of Coeur d'Alene River

by means of storage tanks and pipeline

within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 52N, R. 3E, B.M., Shoshone County

to be used from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs); and from

~~from~~ June 1 to Nov. 1 for the irrigation of 5 acres (0.10 cfs)

within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 52N, R. 3E, 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 April 25, 1977.

~~XXXXXXXXXXXXXXXXXXXX~~
Director

Published in the North Idaho Press, Wallace, Idaho

on April 7 and April 14, 1977

RECEIVED

MAR 29 1977

Department of Water Resources
Northern District Office

P.O. Box 1063
Wallace, Idaho 83873
March 28, 1977

Mr. Robert G. Haynes, P.E.
Regional Supervisor
State of Idaho
Department of Water Resources
Suite No. 1
4055 Government Way
Coeur d' Alene, Idaho 83814

Dear Mr. Haynes:

Thank you for your letter and instructions
of March 2, 1977 and the retyped Application
for Permit.

Hopefully, the required and correct in-
formation is now complete on the app-
lication.

My check in the amount of \$10.00 is en-
closed to pay the application fee.

Sincerely,

J. Pat Ferguson
J. Pat Ferguson

MICROFILMED

March 2, 1977

Mr. J. Pat Ferguson
P.O. Box 1063
Wallace, ID 83873

Dear Mr. Ferguson:

We have taken the liberty of re-typing your Application for Permit and we are returning it to you for additional information.

The amount of water you listed for "culinary" purposes under Item #4 appeared to be in excess. The maximum amount of water we can normally allow for domestic purposes for one family is 0.04 cubic feet per second (which is equivalent to approximately 18 gallons per minute), unless it can be shown that a greater amount of water is needed. Domestic purposes also includes up to $\frac{1}{2}$ acre of irrigation. If you propose to irrigate more than $\frac{1}{2}$ acre, the number of acres and their location by 40-acre tract should be listed under Item 8b of the application. The maximum amount of water we can allow for irrigation purposes is 0.02 c.f.s. per acre. The total amount of water you wish to appropriate should be listed under Item 5.

After completing the above items, please sign the application at the bottom of Page 3 and return it to our office. A filing fee must accompany the application when it is submitted. The correct fee can be determined from the enclosed Fee Schedule.

Your assistance in this matter is appreciated, and if there are any questions, please do not hesitate to contact us.

Very truly yours,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:CP

Enclosure

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

1. Name of applicant J. Pat Ferguson
post office address P. O. Box 1063, Wallace, Idaho 83873
2. Source of water supply Cardinal Creek which is a tributary of The Coeur d'Alene River
3. a. Location of point of diversion is S.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Section 33 Township 52 North
Range 3 East B.M. Shoshone County; additional points of diversion if any: _____

- b. If water is not consumed, it will be ~~discharged into~~ remain in Cardinal Creek 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 0.25 for culinary purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.25 for garden & Hay purpose from June 1 to November 1 (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. 0.50 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. For storage, two 55 gallon drums are
to be buried by the stream. Approximately 1800 feet of pipe will be used to
transmit the culinary water and initial water for gardening.

- 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 3/4 years.
b. Estimated construction cost is \$ 2,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Section 33 Township 52 North
Range 3 East 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: _____

TWP.	RANGE	SEC.	NE¼			NW¼			SW¼			SE¼		
			NE¼	NW¼	SW¼	NE¼	NW¼	SW¼	NE¼	NW¼	SW¼	NE¼	NW¼	SW¼
TOTALS			NE¼	NW¼ <td>SW¼</td> <td>NE¼</td> <td>NW¼<td>SW¼</td><td>NE¼</td><td>NW¼<td>SW¼</td><td>NE¼</td><td>NW¼<td>SW¼</td></td></td></td>	SW¼	NE¼	NW¼ <td>SW¼</td> <td>NE¼</td> <td>NW¼<td>SW¼</td><td>NE¼</td><td>NW¼<td>SW¼</td></td></td>	SW¼	NE¼	NW¼ <td>SW¼</td> <td>NE¼</td> <td>NW¼<td>SW¼</td></td>	SW¼	NE¼	NW¼ <td>SW¼</td>	SW¼

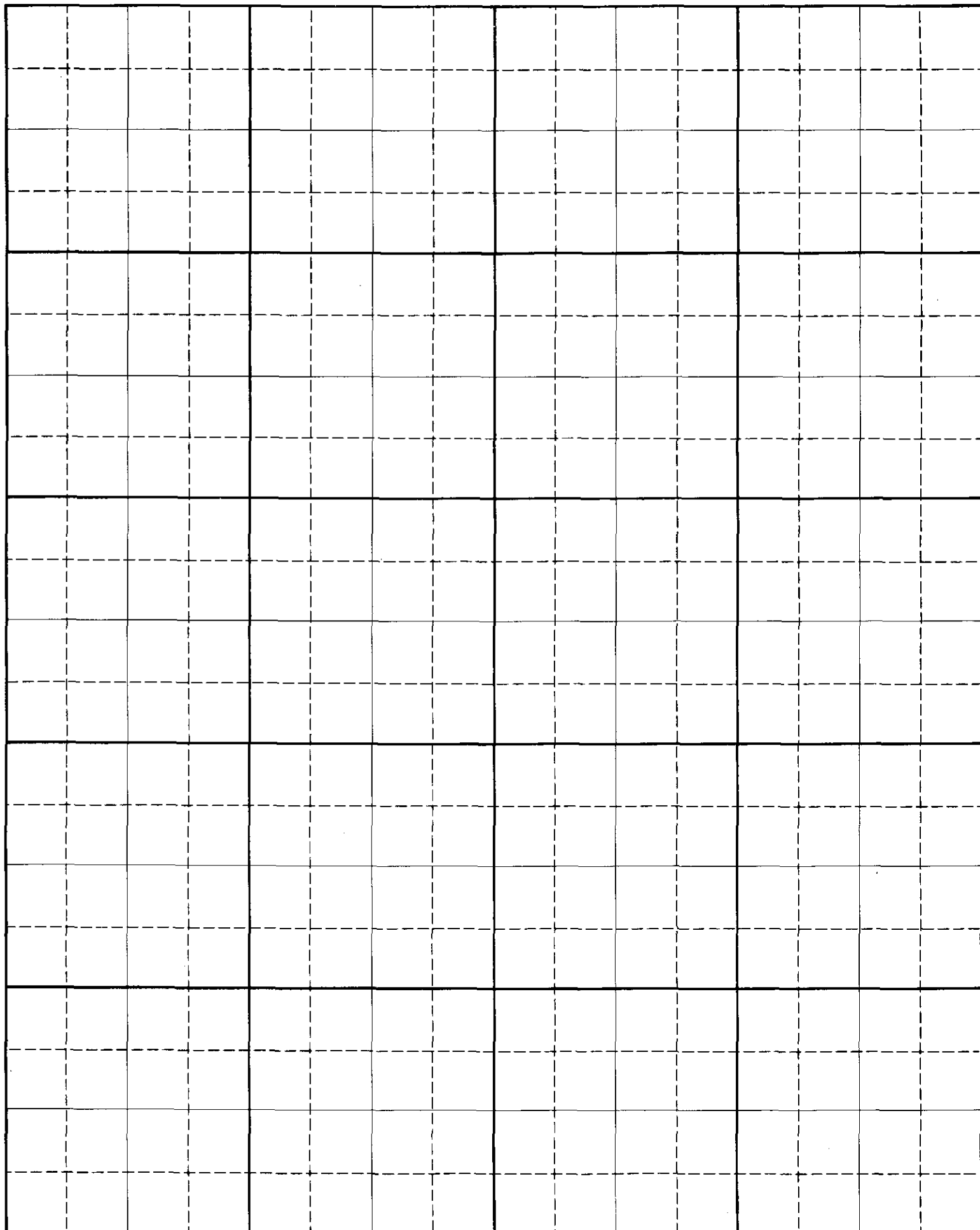
c. Describe any other water rights used for the same purposes _____

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

applicant to make this filing

10. Remarks The N.W. $\frac{1}{4}$ of Section 33, Township 52 North, Range 3 East, Boise Meridian is patented land and acquired through homestead entry No. 063. It is the intent of the applicant to put the land to beneficial use and to maintain a domicile.

1. Map of proposed project:



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.

Pat Ferguson
(Applicant)

February 21, 1977

Received by CP Date 9-24-77 Time 11:30 a.m.
Preliminary check by _____ Fee \$ _____

Received by _____ Date _____
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Priority reduced to _____ Reason _____
Protests filed by: _____

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

ACTION OF STATE RECLAMATION ENGINEER

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. Other: _____

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

Witness my hand this _____ day of _____, 19____.

State Reclamation Engineer