

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 94-7084 Priority September 5, 1976 Amount 0.08 cfs

THIS IS TO CERTIFY, that Frank Berge
of St. Maries, Idaho, has complied with the terms and conditions of Permit
No. 94-7084 issued pursuant to Application for Permit dated August 2, 1976,
and has submitted proof to the Department of Water Resources on October 5, 1981,
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 0.08 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u> at <u>0.08</u> cfs and <u>2.4</u> Acre Feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.4 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13,
Twp. 47N, Rge. 3W. in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NEW				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 $\frac{1}{4}$	
47N	3W	13																X	

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 13TH day of JANUARY, 19 84.

Acting for the Director

Norman C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 94-7084)
IN THE NAME OF FRANK BERGE) ORDER OF REINSTATEMENT
_____)

WHEREAS, on August 2, 1976, Frank Berge filed with the Department of Water Resources for a permit to appropriate 0.08 cubic foot per second of water from a groundwater source to be diverted within the SE1/4SE1/4, Sec. 13, Twp. 47N, Rge. 3W B.M., Kootenai County to be used for domestic purposes; and,

WHEREAS, on September 13, 1976, the Department approved said application and issued the permit with the condition that proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before September 1, 1981; and,

WHEREAS, on June 30, 1981, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to make said proof; and,

WHEREAS, on September 28, 1981, the Department notified the permit holder that the permit had lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a, Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on October 5, 1981;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 94-7084 be REINSTATED and the priority advanced to September 5, 1976.

Dated this 3rd day of November, 1981.



L. GLEN SAXTON

Chief, Operations Bureau

RECORDED

Identification No. 94-7084

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 Frank Berge Phone: ⁵⁰⁹533-4279
post office address 109 N. Division Aberdeen, Wa - 98520
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is NE SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13 Township 47N
Range 3W B.M. Kootenai 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 0.08 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. 0.08 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

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 6" inches; proposed depth of well is 300± 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: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13 Township 47N
Range 3W 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 2.
(5) If water is to be used for other purposes describe: _____

6

10. Remarks:

applicant to make this filing-

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

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

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

Total number of acres to be irrigated—

[illegible]

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

Sec 13
T47N
R3W

x - PD # Place of use
Hwy 13

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 Frank Berge
(Applicant)

Proposed Priority 8-2-76

Received by TK Date 8-2-76 Time 11:00 AM

Preliminary check by Fee \$ 10.00

Received by TK Date 8-2-76 4333

Publication prepared by CP Date 8-6-76

Published in Coeur d'Alene Press

Publication dates 8-12 & 8-19-76

Publication approved CP Date 8-23-76

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by RLF RLF

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. 94-7084, 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, 19 81.

c. Other:

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

Witness my hand this 13 day of September 1976

Director

AFFIDAVIT OF PUBLICATION

RECEIVED

AUG 29 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank Berge, 109 North Division, Aberdeen, Washington has on August 2, 1976 submitted Application No. 194-7084 for a permit to appropriate 0.08 cubic feet per second of water from a ground water source by means of well and pump within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 47N, R. 3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 47N, R. 3W, 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 August 30, 1976.

R. KEITH HIGGINSON
Director

Legal No. 321
Aug. 12, 19, 1976

STATE OF IDAHO,
County of Kootenai,

ss.

Department of Water Resources
Northern District Office
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

Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 2 consecutive weeks commencing on the 12 day of August, 1976, and ending on the 19 day of August, 1976, and such publication was made as often during said period as said 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.

Subscribed and sworn to before me this

19 day of August 1976

Robert A. Stanley

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

January 23, 1984

RE: Permit No. 95-7084

Frank Berge
Rt. 2, Box 208A
St. Maries, ID 83861

Dear Mr. Berge:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

SEP 9 1983

DEPARTMENT OF WATER RESOURCES

94-7084

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) _____

EXAMINATION

Date 7/23/83 ✓ Accompanied by _____ Total Q measured est.
If source is surface water, estimate total flow of source _____
Methods of measurement calc Meets Permit requirements? yes ✓

Measurement calculations: Two lines L & G 0.08 - 2.4 AF or
SWL-100ft.

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
								<u>Sub</u> ✓

System Description 6" x 250' Well pump & pipeline to two homes

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

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u>	<u>0.08</u>	<u>2.4</u>	<u>1-1</u>	<u>12-3</u>
Total	<u>0.08</u> ✓	<u>2.4</u> ✓		

Remarks Lawn & garden ✓

Bob Hammer
Jen

Date

7/25/83

☐ Other

☐ Add P.D. as reflected above

None ☒ 7/0

Recommended Amendments:

[illegible]

Place(s) of Use

Point(s) of diversion: SE SE, Sec 13, T47N, R3W ✓ dk

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

SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)

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

December 14, 1981

Mr. Frank Berse
Rt. 2 Box 208 A
St. Maries, Id. 83861

RE: 94-7084

Dear Mr. Berse:

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/rms

cc: IDWR - State Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 94-7084.

Name(s) of Permit Holder: FRANK M. BERGE

Post Office Address: Rt 2, Bx 208-A

St. MARIES, ID. 83861 Tel. No. 689-3658

Source of Water: 250+ ft. well

Extent of Use: ☒ Domestic 2 (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.

MICROFILMED

10-2-81

Frank M. Berge
C. W. P.

FRANK M. PERSON

Rt. 2 Box 200

St. Maries,



PAID
70¢ PER
STAMP
IF NE

RECEIVED



OCT 5 1981

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

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BERGE, FRANK
~~109 N. DIVISION~~
ABERDEEN, WA 98520

*Rt 2 Box 208 A
St. Maries, Id 83861*

SEPTEMBER 02, 1981

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 94-7084 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED JUNE 30, 1981.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING

I hereby certify that on 9/28/81
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Nita Fleck

MICROFILMED

DEPARTMENT OF

RECEIVED

JUL 10 1981

Department of Water Resources

SEP 29

JUL

80655N1 07/06/81

RETURN TO SENDER
DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

CLAIM -

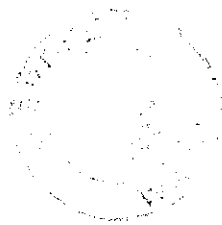
9-17-81

24.2 Box 208A

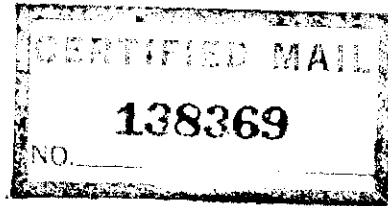
St. Marys Rd
83861

ph ass. inc.
10

MICROFILMED



05
7-7-81
N-14



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

BERGE, FRANK
109 N. DIVISION
ABERDEEN, WA 98520

138369

JUNE 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 94-7084 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1981. (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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

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

ENCLOSURES

MICROFILMED

September 13, 1976

Re: Permit No. 94-7084

Frank Berge
109 N. Division
Aberdeen, WA 98520

Dear Mr. Berge:

Enclosed is a copy of your approved Application for Permit No. 94-7084 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 94-7084 Berge

☒ 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 8-2-76

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

(4) RAH 8-2-76

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) CP 8/23

Affidavit of Publication received(date) Aug. 23, 1976

(12) CP 8/6

Final date for protests August 30, 1976

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority 8-2-76

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Angus Date 8-31-76



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

August 6, 1976

Re: Application No. 94-7084 Application No. 95-7657
" " 95-7656 " " 95-7658

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

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:cp

Enc: Legal Notice(s)

Bill: 8-23-76.0

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank Berge,
109 North Division, Aberdeen, Washington
has on August 2, 1976 submitted Application No. 94-7084
for a permit to appropriate 0.08 cubic feet per second ~~acre feet per annum~~
of water from a ground water source
by means of well and pump
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 47N, R. 3W, B.M., Kootenai County
to be used from Jan. 1 to Dec. 31
for domestic purposes
within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 47N, R. 3W, 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 August 30, 1976.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on August 12 and August 19, 1976