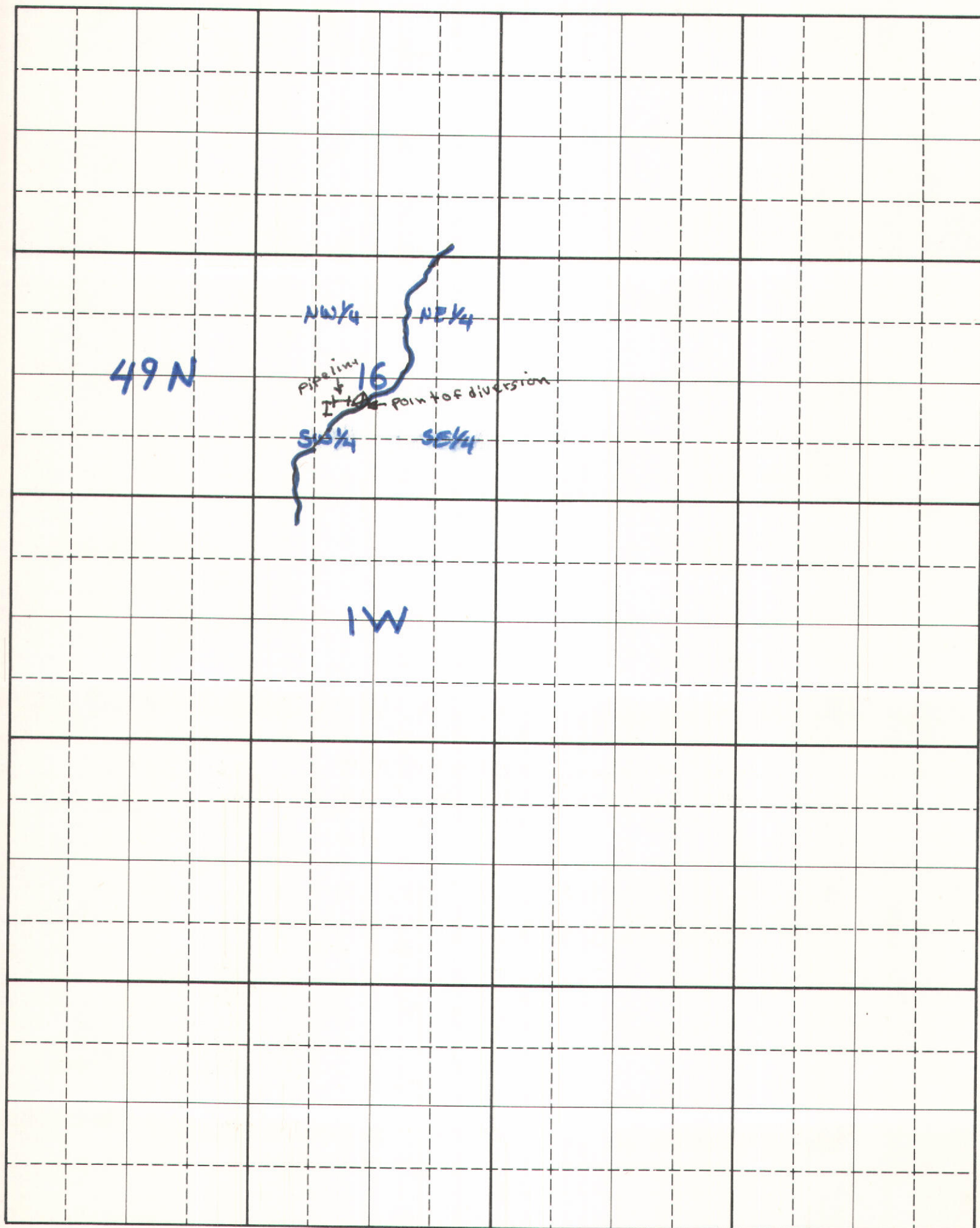


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Martha J. Swingley  
(Applicant)

94 7031

Proposed priority: 4/20/1973

Received by EB Date 4-20-73 Time 4:00

Preliminary check by EB Fee \$ 10.00 # 10629

Receipted by EB Date 4-20-73 # 10629

Publication prepared by cr Date 4-27-73

Published in Coeur d'Alene Press

Publication dates 5-3 & 5-10-73

Publication approved cf Date 5-14-73

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by dr JDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 94-7031, 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 May 1, 19 78.

c. Other: \_\_\_\_\_

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

Witness my hand this 29th day of May 19 73.

P. Karl Hjort  
Director

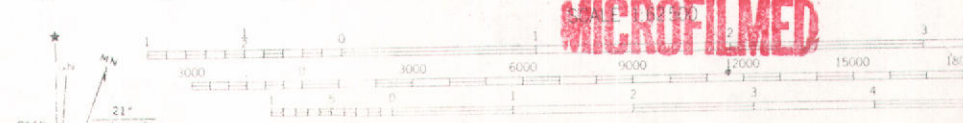
94-7031

COPIED



Maped, edited, and published by the Geological Survey  
Control by USGS and USC&GS  
Topography from aerial photographs by ER-55  
Aerial photographs taken 1954 check 195  
Projection 17 North American datum

MICROFILMED



**State of Idaho**  
**Department of Water Resources**

**WATER RIGHT LICENSE**

License of Water Right No. 94-7031 Priority April 20, 1973 Amount 0.12 cfs

THIS IS TO CERTIFY, that Charles D. &/or Martha J. Swingley  
of Cataldo, Idaho, has complied with the terms and conditions of Permit  
No. 94-7031 issued pursuant to Application for Permit dated April 20, 1973,  
and has submitted proof to the Department of Water Resources on April 15, 1983,  
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 0.12 cfs of water from a spring,  
tributary to Curran 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>Domestic</u><br><u>(3 Units)</u> | from <u>January 1</u> to <u>December 31</u> | at <u>0.12</u> cfs and | <u>1.8</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 0.12 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  
1.8 acre feet per year, said waters to be diverted within the NE 1/4 Section 16,  
Twp 49N, Rge 1W in the County of Kootenai

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 |        |
| 49N  | 1W    | 16   |        |        |        |        |        |        |        |        | X      |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres irrigated \_\_\_\_\_

**MICROFILMED**

**MICROFILMED**

**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 17<sup>TH</sup> day of MARCH, 19 86.

Acting for the

Director

Norman C. Young

✓

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR EXTENSION OF TIME

RECEIVED  
APR 14 1978

State of Idaho )  
County of Idaho )

Department of Water Resources  
Permit No. 94-7031  
North District Office

Charles W. Swingley of Rt #1 Box 108-A Cataldo, Id. 83810  
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder \*, of Permit to Appropriate the Public Waters of the State of Idaho No. 94-7031.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before May 1, 1978.

That he has heretofore performed the following work described under said permit:

System complete with stub back ups for 3 houses  
One house presently using water from system

Costing \$ \_\_\_\_\_

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Not enough time to build all  
three houses. One is complete, ground not yet broken  
for other two houses.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to May 1, 1983.

Charles W. Swingley  
(signature) \*

Subscribed and sworn before me this 14 day of April, 1978.

seal

Robert G. Harris  
Notary Public residing at  
COA

My commission expires Lifetime

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED  
and the time within which to submit proof of beneficial use of water is extended  
to May 1, 1983.

Witness my hand this 21<sup>st</sup> day of April, 1978.

L. Glen Sayton  
Chief, Operations Bureau

\* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

04  
Identification No. 94-7031

Application No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
**APPLICATION FOR PERMIT**

**APPROVED**

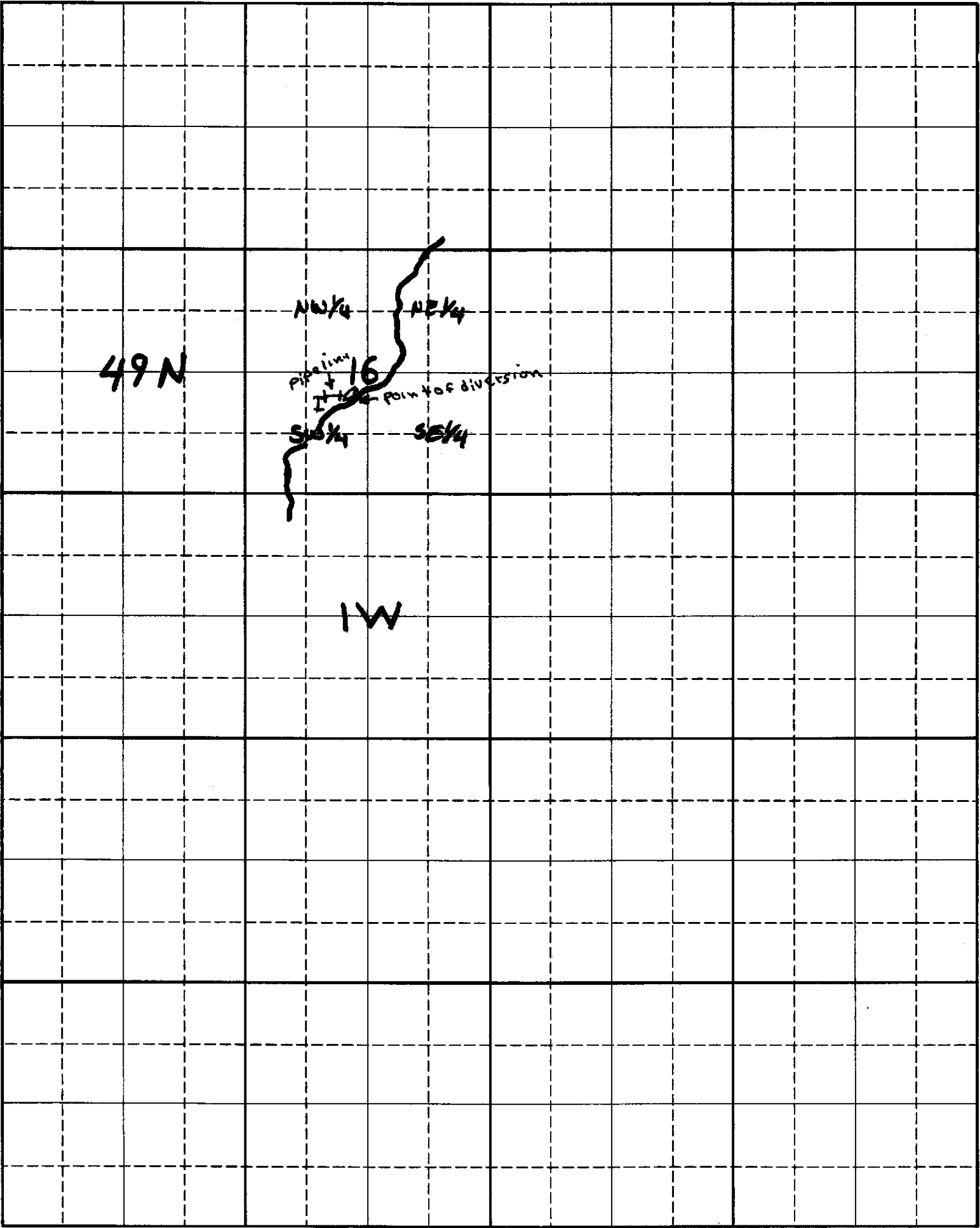
To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

1. Name of applicant Charles D. &/or Martha J. Swingley PH: 667-7677  
post office address 1012 Lakeside, Coeur d'Alene, ID 83814
2. Source of water supply Curran Creek which is a tributary of Coeur d'Alene River
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 16 Township 49N  
Range 1W B.M. Kootenai County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into Curran Creek at a point in NE  $\frac{1}{4}$   
of SW  $\frac{1}{4}$  of Section 16 Township 49N Range 1W B.M. Kootenai County
4. Water will be used for the following purposes:  
Amount 0.12 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. 0.12 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Spring box with pipeline to houses.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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 \$ 1,500.00.
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 SW  $\frac{1}{4}$  of Section 16 Township 49N  
Range 1W 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 three.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

94 7031



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.

*Martha J. Swingley*  
(Applicant)

94 7031

Proposed priority: 4/20/1973

Received by EB Date 4-20-73 Time 4:00

Preliminary check by EB Fee \$ 10.00 # 10629

Receipted by EB Date 4-20-73 # 10629

Publication prepared by cr Date 4-27-73

Published in Coeur d'Alene Press

Publication dates 5-3 & 5-10-73

Publication approved cr Date 5-14-73

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by dr JDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 94-7031, 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 May 1, 19 78.

c. Other: \_\_\_\_\_

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

Witness my hand this 29th day of May 19 73.

R. Karl Hjort  
Director

DEPARTMENT OF WATER ADMINISTRATION  
- STAFF ANALYSIS -

| Item | Initial   | Date           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|------|-----------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)  | <u>EB</u> | <u>4-20-73</u> | Application No. <u>94-7031</u> Name <u>Martha J. Sawingley</u>                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| (2)  | <u>EB</u> | <u>4-20-73</u> | Check:<br><input checked="" type="checkbox"/> Signature<br><input checked="" type="checkbox"/> Point of Diversion<br><input checked="" type="checkbox"/> Quantity of Water and Period of Use<br><input checked="" type="checkbox"/> Description of Diverting Works<br><input checked="" type="checkbox"/> Time required for C/W and application of water to B/U<br><input checked="" type="checkbox"/> Place of Use<br><input checked="" type="checkbox"/> Map<br><input checked="" type="checkbox"/> Fee |
| (3)  | <u>EB</u> | <u>4-20-73</u> | Send copies to: <u>N/A</u><br><input type="checkbox"/> Idaho State Health Department<br><input type="checkbox"/> Idaho Fish and Game Department<br><input type="checkbox"/> Bureau of Land Management                                                                                                                                                                                                                                                                                                     |
| (4)  | <u>EB</u> | <u>4-20-73</u> | <input type="checkbox"/> Request Special Use Permit from U.S.F.S. <u>N/A</u><br><input type="checkbox"/> Request Easement from B.L.M.                                                                                                                                                                                                                                                                                                                                                                     |
| (5)  | <u>EB</u> | <u>4/22/73</u> | In form for advertising <u>ok</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| (6)  | <u>cl</u> | <u>5-14-73</u> | Affidavit of Publication received <u>May 14, 1973</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| (7)  | <u>cl</u> | <u>4-27-73</u> | Final date for protests <u>MAY 21, 1973</u><br>Protests received: yes _____ no <u>✓</u>                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (8)  |           |                | Date and Place of hearing _____<br>Decision reached at hearing _____                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| (9)  |           |                | Located within Water District No. _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (10) |           |                | Critical groundwater area: yes _____ no _____                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (11) |           |                | Groundwater levels:<br><input type="checkbox"/> Decline (comment) _____<br><input type="checkbox"/> Stable (comment) _____<br><input type="checkbox"/> Increasing (comment) _____                                                                                                                                                                                                                                                                                                                         |
| (12) |           |                | Comments: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| (13) | <u>EB</u> | <u>5/22/73</u> | Action recommended:<br><input checked="" type="checkbox"/> Approve Priority <u>5/22/73</u><br><input type="checkbox"/> Deny Reason for Reduction _____<br>See attached sheet for conditions of approval<br><u>EB</u> <u>5/22/73</u> No conditions for approval                                                                                                                                                                                                                                            |
| (14) | <u>EB</u> | <u>5/22/73</u> | District <u>North</u> By <u>Paul [Signature]</u><br>Date <u>5/22/73</u> Title <u>Tech. [Signature]</u>                                                                                                                                                                                                                                                                                                                                                                                                    |

RECEIVED  
MAY 24 1973  
Department of Water Administration

94 7031

# AFFIDAVIT OF PUBLICATION COEUR D'ALENE PRESS

(WEEKLY)

MAY 14 1973

STATE OF IDAHO,

County of Kootenai,

ss.

Department of Water Administration  
Northern District Office

deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for two consecutive weeks, commencing on the 3 day of May, 19 73, and ending on the 10 day of May, 19 73.

Subscribed and sworn to, before me, this 10 day of May, 19 73

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

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Charles D. &/or Martha J. Swingley, 1012 Lakeside, Coeur d'Alene, Idaho have on April 20, 1973 submitted Application No. 94-7031 for a permit to appropriate 0.12 cubic feet per second of water from Curran Creek, tributary to the Coeur d'Alene River by means of spring box and pipeline within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, B.M., Kootenai County, to be discharged into Curran Creek at a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, B.M., and to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before May 21, 1973.

R. KEITH HIGGINSON  
Director

May 3, 10, 1973

94 7031



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

March 17, 1986

RE: Permit No. 94-7031

Charles D. &/or Martha J. Swingley  
Rt. 1, Box 108A  
Cataldo, ID 83810

Dear Mr. and Mrs. Swingley:

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

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

JJ:sc

Enclosure

RECEIVED

OCT. 4 1983

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
WATER RIGHT BENEFICIAL USE FIELD REPORT

94-7031

Permit No. \_\_\_\_\_

OCT 4 1983

Department of Water Resources

**CONTACT WITH PERMIT HOLDER**

DATE \_\_\_\_\_

INITIALS

Department of Water Resources

REMARKS

☐ Appointment letter mailed:

☐ Telephone call made

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

## EXAMINATION

Date 9/15/83 Accompanied by — Total Q measured theoretical / 0.12

Source Spring Tributary to Cannon Creek Supp. annubar measurement sheet used? no <sup>ct3</sup>

If source is surface water, estimate total flow of source

Methods of measurement est. Meets permit requirements? yes

Measurement calculations: 3 lanes 0.12 cf 1.8

$$\frac{8.8(1) 80\%}{2.33(40) + 10} = 0.12 \checkmark$$
[illegible]

System Description 3' diameter concrete rings 10' in ground with submersible pump & pipe

\*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 ✓  
(3 units)

0.1A ✓

1.8 AF

1-1

-3/ ✓

Total

0.12 cfs ✓ 1.8 AF

1. 8 AM

Remarks Did not develop Creek itself, developed spring on  
property adjacent to curran Creek - App. owns property between spring &  
Creek ~ no intervening users

Wane Tutill - please examine feasibility of waiving  
fee on Amendment.

NO SOURCE amendment req'd - permit describes  
spring in item 6a.

**MICROFILMED**

Examiner's Signature \_\_\_\_\_

Date \_\_\_\_\_

5/22/05  
5/16/05

☐ Change P.D., as reflected above

☐ Change P.U., as reflected above

Recommended Amendments:

None ☐

Other ☒

Source - Spring trib to  
European people - NO

| TWP. | RGE. | SEC: | NE% | NW% | SE% | SW% | NE% | NW% | SE% | SW% | NE% | NW% | SE% | SW% | NE% | NW% | SE% | SW% | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
| N6h  | m    | 9    |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |        |

Place(s) of Use

Point(s) of diversion  $\blacktriangleright$  NESU, Sec 16, T49N, R1W

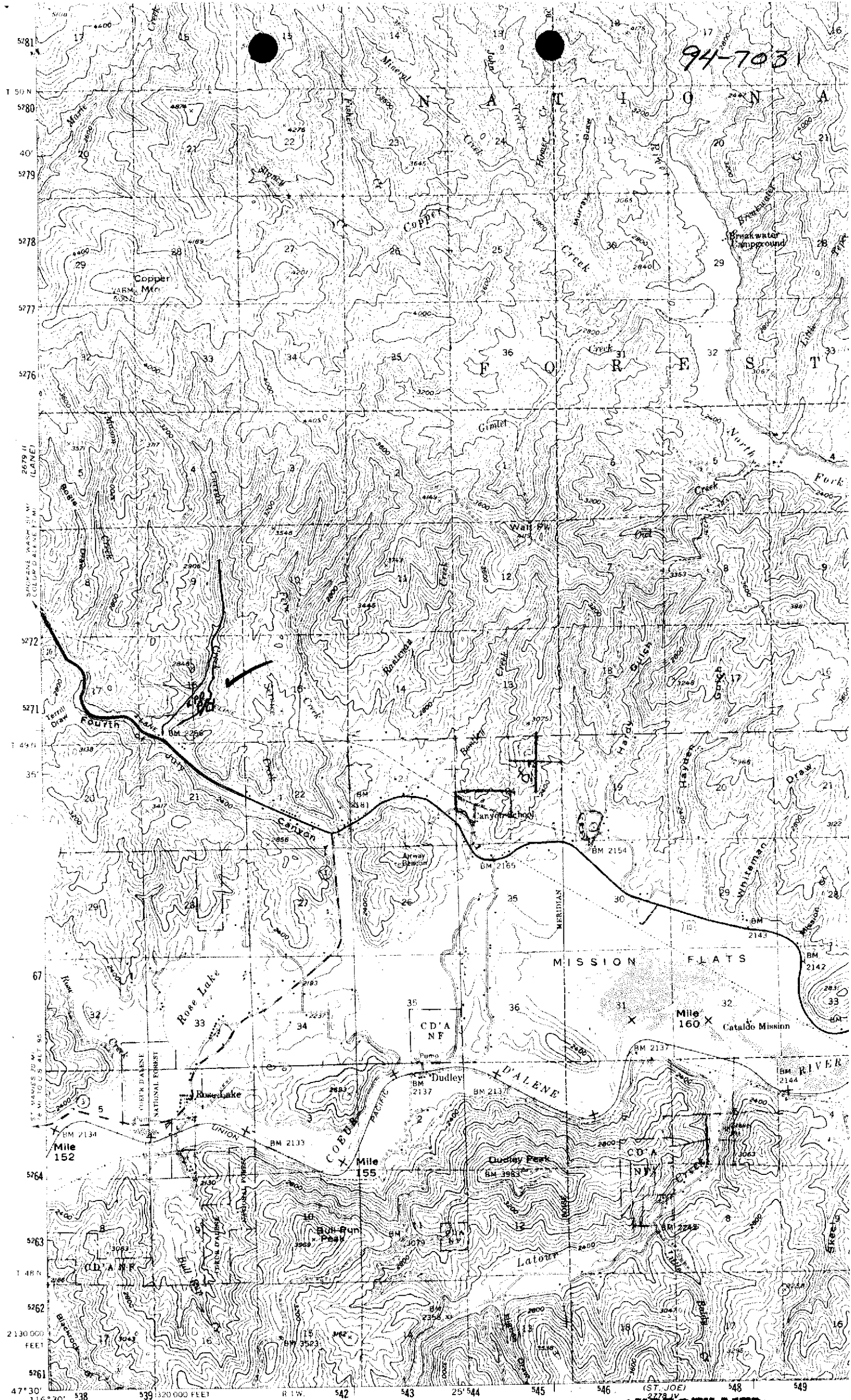
(include distance from pump to measuring device, if applicable.)

## SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

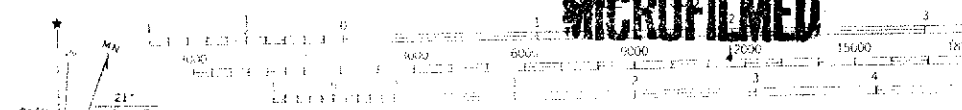
MAP (Attach Aerial Photo)

94-7031



ARIES  
6767

Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS  
Topography from aerial photographs by LK-55  
Aerial photographs taken 1954 check 195  
Scale 1:50,000



**MICROFILMED**

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

MAY 18, 1983

CHARLES SWINGLEY  
RT 1 BOX 108A  
CATALDO ID

RE: Permit No. 94-7031

Dear Permit Holder:

We acknowledge receipt of your statement 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.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/  
TOM D. KING  
Senior Water Resource Agent

cc: IDWR - State Office

RECEIVED

# 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. 94-7031.

Name(s) of Permit Holder: Charles and Martha Swingley

Post Office Address: RR1 Box 108A Cataldo, Id

Tel. No. 682-3753

Source of Water:

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.

4/18/83

Date

Charles Swingley  
Signature of Permit Holder

PLACE  
13 CENT  
STAMP  
HERE

RECEIVED

RECEIVED

APR 15 1983

Department of Water Resources  
Northern District Office



RECEIVED

APR 21 1983

Idaho Department of Water Resources  
STATEHOUSE  
BOISE, IDAHO 83720

INTER-DEPARTMENT MEMO — 1

DATE 3/9/83

FROM Rita

TO File 94-7031

SUBJECT B/U Notice

Send notice a second time, this time I did not send it certified mail  
to address indicated on extension of time submitted in 1978.

Rt. 1, Box 108A  
Cataldo, ID 83810

RECEIVED  
FBI  
MARCH 10 1983

rf

---

SIGNATURE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
house  
Boise, Idaho 83720

RETURN TO SENDER  
MOVED LEFT NO ADDRESS  
DATE

Do not use this envelope  
for return mail  
No post paid stamps  
No return address  
Do not use in this envelope

CERTIFIED MAIL  
No. 138311  
RETURN REQUESTED

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

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

138311

SWINGLEY, CHARLES D. & MARTHA J.  
1012 LAKESIDE  
COEUR D'ALENE, ID 83814

PROOF DUE NOTICE

FEBRUARY 28, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 94-7031 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK  
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED

April 25, 1978

Re: Permit No. 94-7031

Charles D. Swingley  
Route 1, Box 108A  
Cataldo, Idaho 83810

Dear Mr. Swingley:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to May 1, 1983.

Sincerely,

Jan Grover  
Water Rights Supervisor

MAILED 11 MAY 1978



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2215

February 28, 1978

CERTIFIED MAIL

138410

Re: Permit No. 94-7031

Charles D. &/or Martha J. Swingley  
1012 Lakeside  
Coeur d'Alene, ID 83814

Dear Mr. & Mrs. Swingley:

One of the conditions of approval of your water Permit No. 94-7031 (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 May 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

May 30, 1973

Re: Permit No. 94-7031

Mr. Charles D. Swingley  
1012 Lakeside  
Coeur d'Alene, ID 83814

Dear Mr. Swingley:

Enclosed is a copy of your approved Application for Permit No. 94-7031. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF:cd

Enclosure

94 7031

April 27, 1973

Re: Application No. 94-7031 Claim No. 96-4056  
" " 96-7171 " " 96-4057  
" " 96-7172

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

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(signature of claimant)

Very truly yours,

Fred Eisenbarth  
Northern District Manager

Bill submitted 5-14-73 by cl

FE:CR

Enc: Legal Notices (5)

94 70:

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Charles D. &/or Martha J. Swingley,  
1012 Lakeside, Coeur d'Alene, Idaho  
have ~~xxx~~ on April 20, 1973 submitted Application No. 94-7031  
for a permit to appropriate 0.12 cubic feet per second ~~above feet per annum~~  
of water from Curran Creek, tributary to the Coeur d'Alene River  
by means of spring box and pipeline  
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, B.M., Kootenai County, to be  
discharged into Curran Creek at a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N,  
R. 1W, B.M., and  
to be used from Jan. 1 to Dec. 31  
for domestic purposes  
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before  
May 21, 1973.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho  
on May 3 and May 10, 1973

94 7031

NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Charles D. &/or Martha J. Swingley, 1012 Lakeside, Coeur d'Alene, Idaho have on April 20, 1973 submitted Application No. 94-7031 for a permit to appropriate 0.12 cubic feet per second of water from Curran Creek, tributary to the Coeur d'Alene River by means of spring box and pipeline within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, B.M., Kootenai County, to be discharged into Curran Creek at a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, B.M., and to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, T. 49N, R. 1W, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before May 21, 1973.

R. KEITH HIGGINSON  
Director

May 3, 10, 1973

*o.k.*  
*5-9-73*  
*R*

94-7031