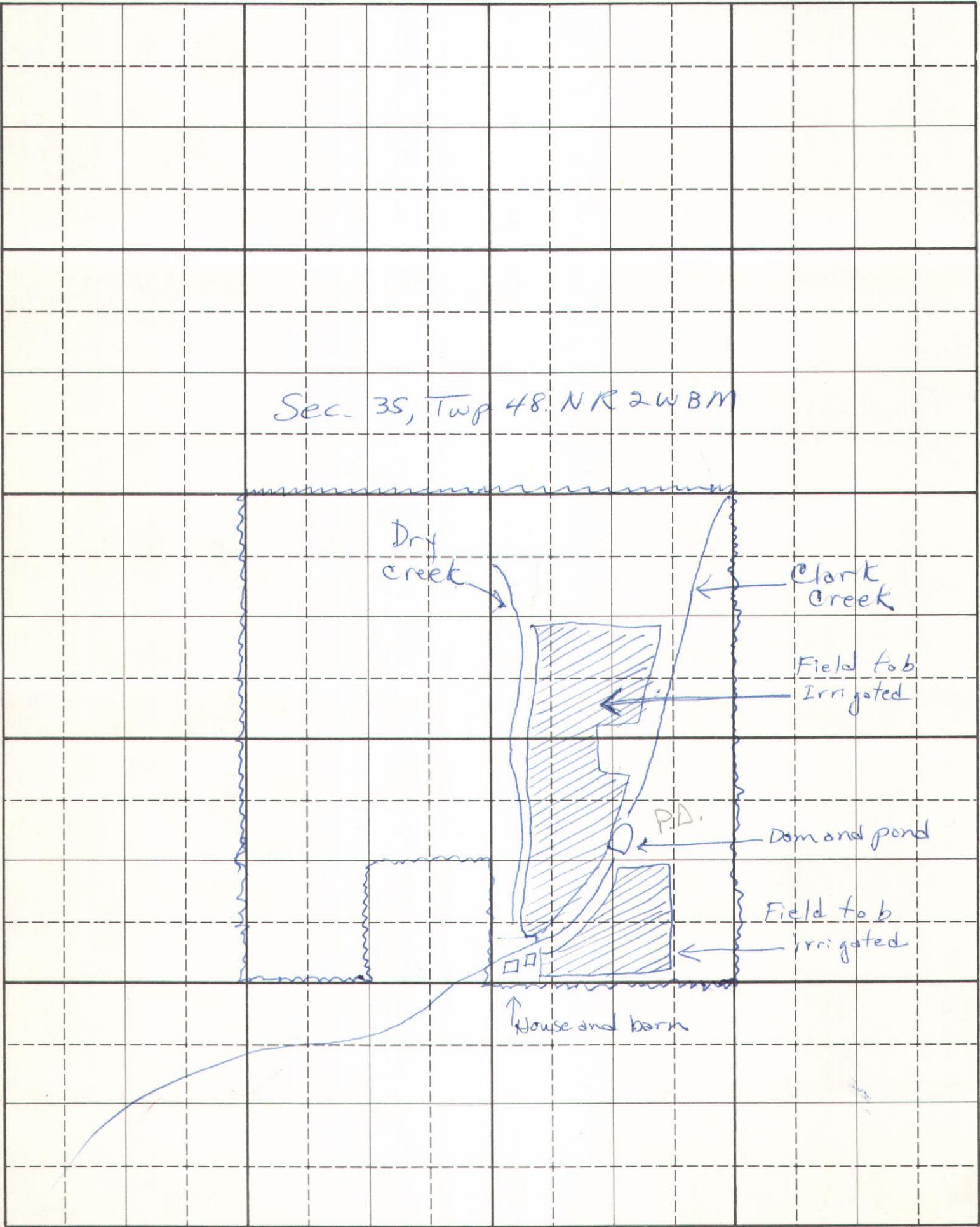


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal $\frac{1}{2}$ mile

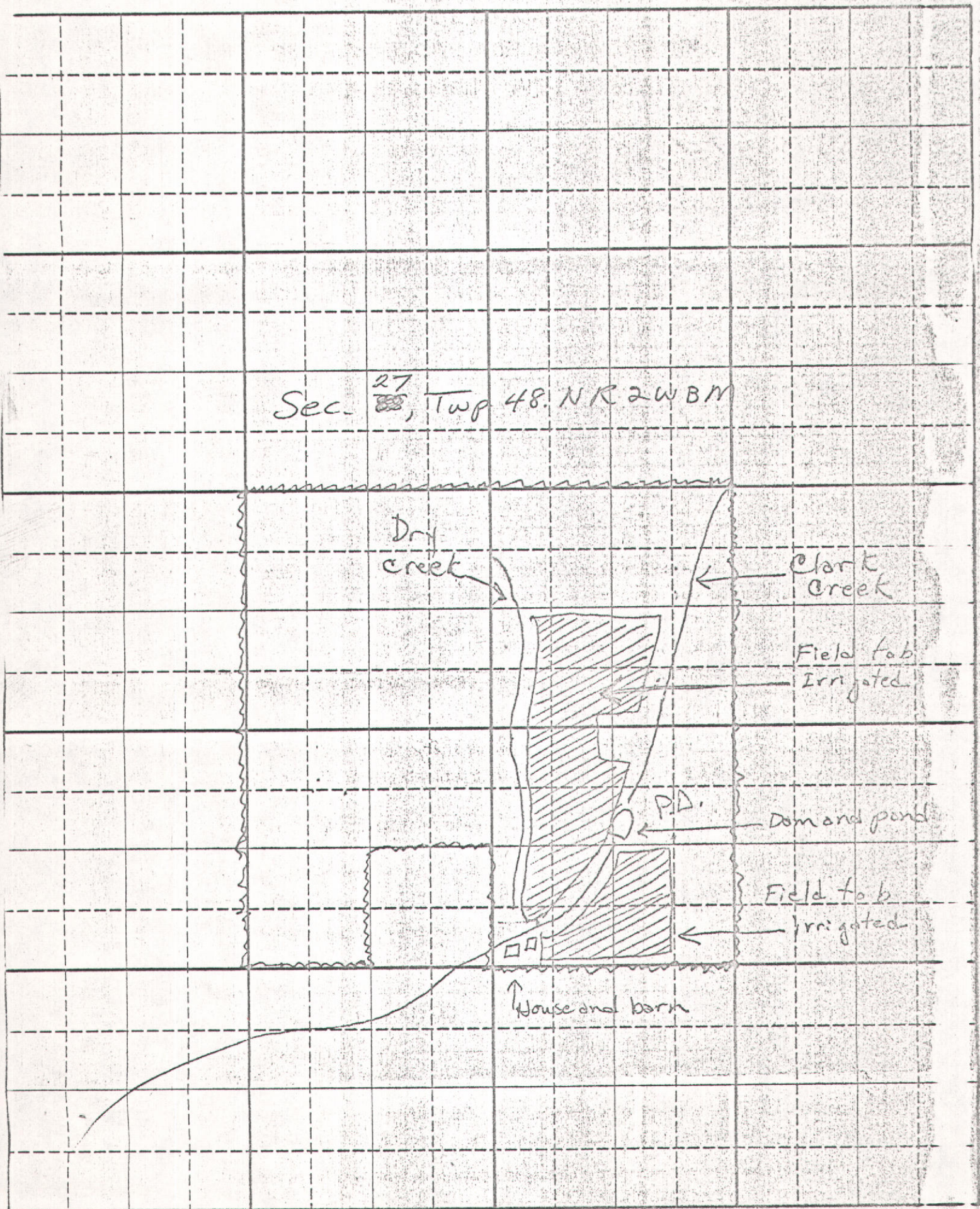
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Roy G. Magnus
(Applicant)

94 7021

EXH. 1
Permit Map

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 $\frac{1}{2}$ 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.

Roy G. Magnus
(Applicant)

94 7021

T
48
N

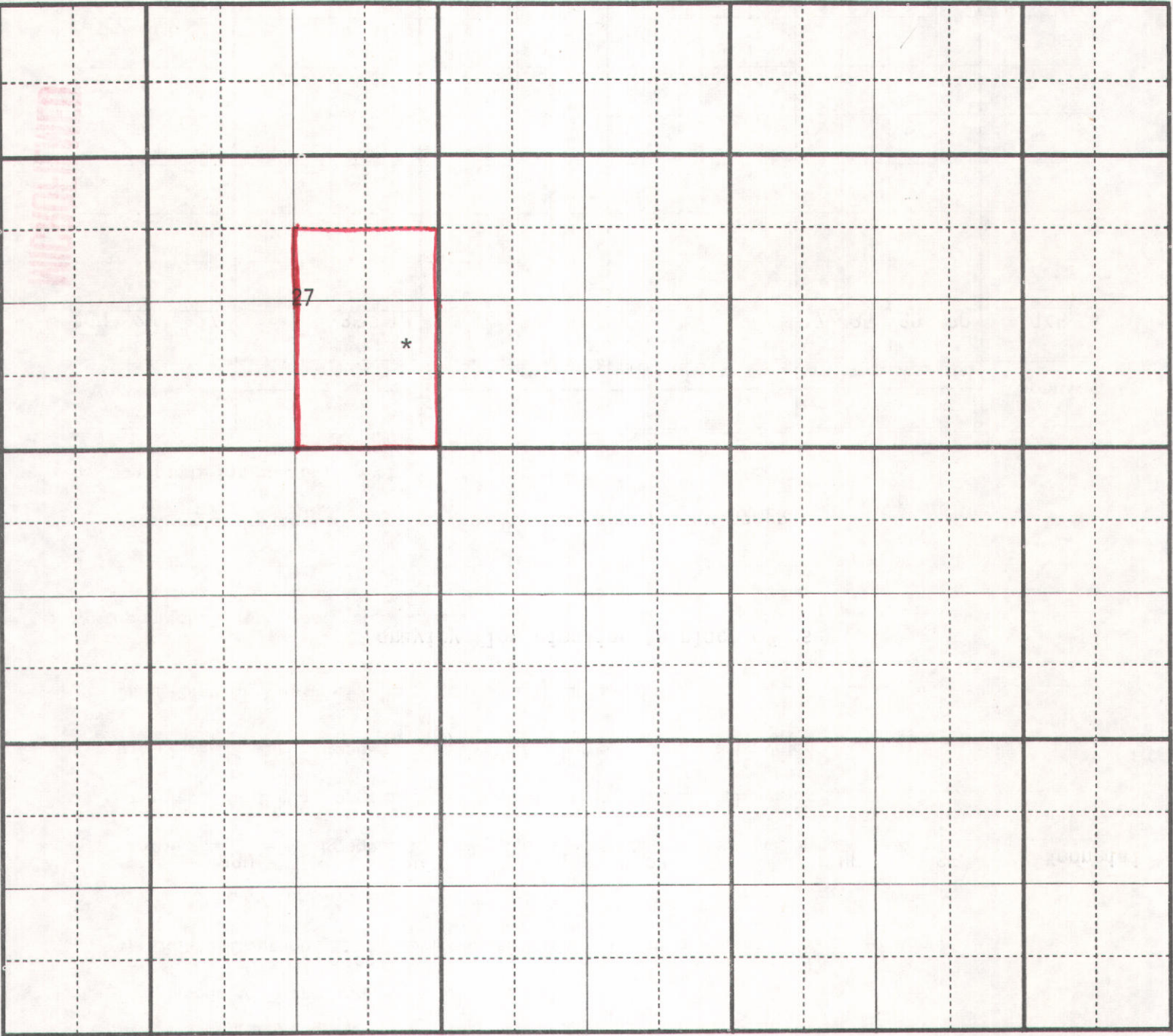


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 94-7021 Priority August 5, 1971 Amount 0.08 cfs

THIS IS TO CERTIFY, that William A. &/or Janet R. Phillips
of Bridgeport, Washington, has complied with the terms and conditions of Permit
No. 94-7021 issued pursuant to Application for Permit dated August 5, 1971,
and has submitted proof to the Department of Water Resources on August 25, 1976,
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 Clark 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
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.06</u> cfs and <u>2.4</u> acre feet		
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.02</u> cfs and <u>.7</u> acre feet		
	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
3.1 acre feet per year, said waters to be diverted within the SE 1/4 NE 1/4, Sec. 34, Twp. 48N,
Rge. 2W, B. M. 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	
48N	2W	34	X	X			X	X	(domestic and stockwater)										

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of

Sept, 19 78.

Director

License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED

To change the point of diversion and/or the place of use.

AUG 24 1978

Department of Water Resources

Comes now William A. &/or Janet R. Phillips

of (address) P. O. Box 428, Bridgeport, CA 93517, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 94-7021, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 NE 1/4, Section 34, Township 48N, Range 2W, B.M.,
County of Kootenai. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.06 for Domestic purposes from Jan. 1 to Dec 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount 0.02 for Stockwater purposes from Jan. 1 to Dec 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	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	
48N	2W	34	X	X			X	X											

Total number of acres to be irrigated =

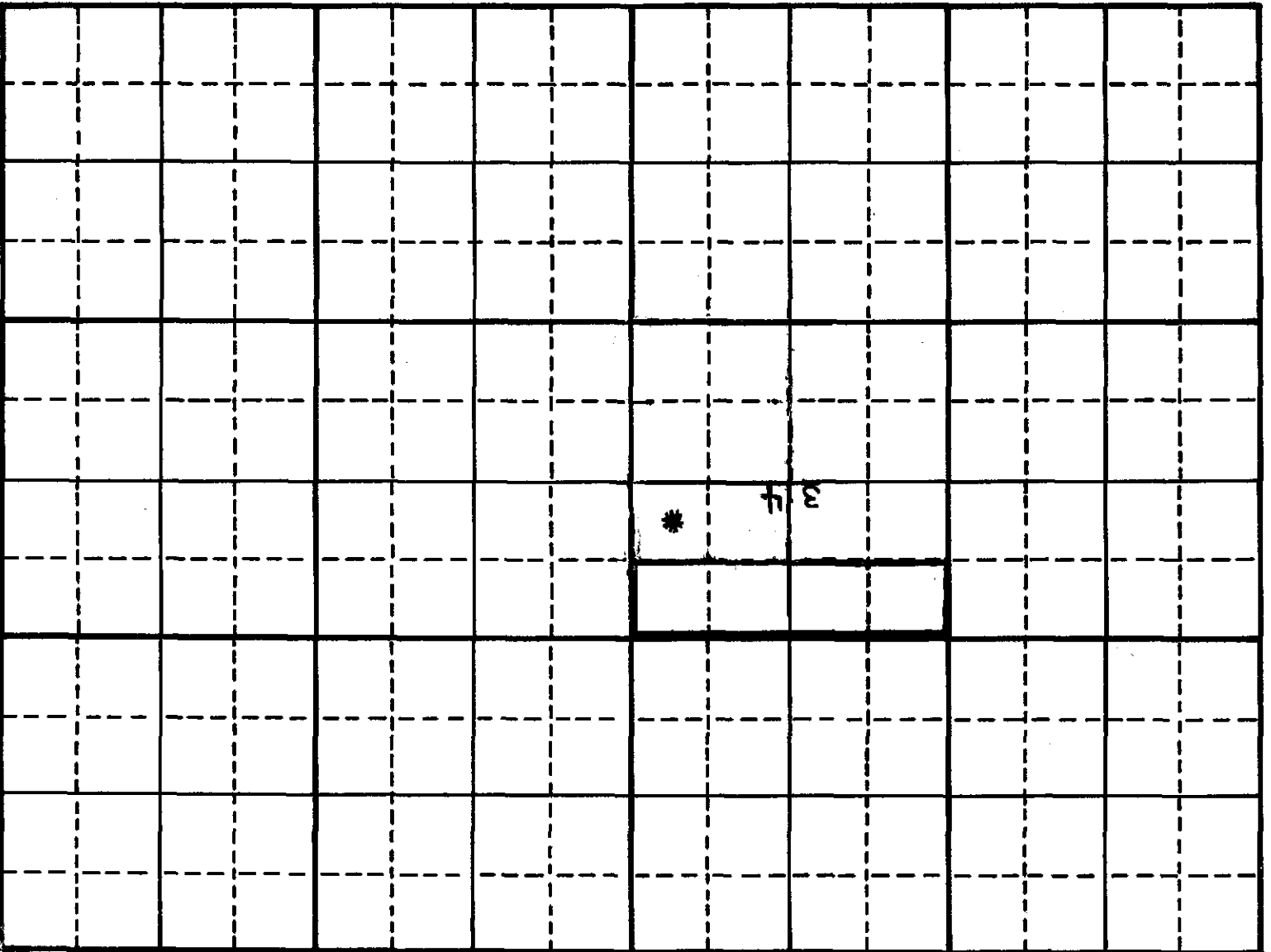
4. a. Who owns the property at the point of diversion? William & Janet Phillips
b. Who owns the land to be irrigated or the place of use? William & Janet Phillips
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: (D. N. A.)

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

R 2W



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at

Bridgman

this 20th day of August, 1978.

James R. Phillips
(Signature)
James R. Phillips

FOR DEPARTMENT USE ONLY

Rec'd by BK 8-24-78

Preliminary check by *WHA*

Fee = \$20.00 11-35

20.00

Received by *WHA*

Date

8/29/78

12235

Published in

Date

Publication prepared by

Publication dates

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, C. STEPHEN ALLRED,

Director of the Department of Water Resources hereby

APPROVE the above application for amendment for Permit No. 94-7021.

Witness my hand this

14 day of

September, 1978

Director

Stephen Allred

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

545 750
RECEIVED

SEP 1 1978 *hjc*

We X, Vladimir & Valerie Kalina, hereby assign to William A. & or Janet R. Phillips Department of Water Resources

of P. O. Box 428, Bridgeport, CA 93517

Address

CHECK ONE



All my right, title, and interest in and to Permit No. 94-7021
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this _____ day of _____, 19____.

Valerie E. Kalina
Permit Holder

Vladimir J. Kalina
Spouse of Permit Holder

State of Idaho)
County of Kootenai) ss.

On this 25 day of August, 1978, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Pat Jensen
Notary Public residing at
P. Faer

My commission expires:

N/A

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF THE REMOVAL OF THE
MEASURING DEVICE REQUIREMENT FOR PERMIT
NO. 94-7021 IN THE NAME OF VLADIMIR KALINA
AND VALERIE E. KALINA

ORDER

WHEREAS, on August 5, 1971, Roy G. Magnus applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 0.91 cubic feet per second of water from Clark Creek, tributary to the Coeur d'Alene River, to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, Twp. 48N, Rge. 2W, B.M., Kootenai County, to be used for irrigation and domestic purposes, and stockwater;

WHEREAS, on October 5, 1971, the Department approved said application and issued Permit No. 94-7021 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 1, 1976, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on December 5, 1973, the permit holder assigned this permit to Vladimir Kalina and Valerie E. Kalina; and,

WHEREAS, on August 25, 1976, the Department received the required proof of application of the water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 94-7021.

Dated this 7 day of September, 1976.


A. KENNETH DUNN

Administrator, Operations Division

MAR 23 1972

Department of Water Administration

APPROVED

Permit No. _____

No. 94-7021, and requests that the permit and permit map be changed as follows:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

mo. - day

For Irrigation purposes from June 1 to Nov. 1 (both dates incl.)

For STOCK purposes from JAN. 1 to DEC. 31 (both dates incl.)

For Domestic purposes from Jan. 1 to Dec. 31 (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

[illegible]**Total number of acres to be irrigated**

145

94 7021

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

See attached EXH.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Coeur d'Alene, this 22 day of March, 1972.

Roy Magnus
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, C. STEPHEN ALLRED, Deputy Director, Dept. of Water Administration, State Reclamation Engineer of the State of Idaho, hereby APPROVE application for amendment for Permit No. 94-7021.

Witness my hand this 27th day of March, 1972

C. Stephen Allred
Deputy Director, State Reclamation Engineer

94 7021

JAN 5 1974
Department of Water

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 94-7021 to VLADIMIR KALINA and VALERIE E. KALINA, husband & wife, of Cataldo, Idaho

*

Roy Magnus
Permit Holder

Jo Ann Magnus
Wife of Permit Holder

STATE OF IDAHO)
 :
County of Kootenai)

On this 3rd day of December, 1973, before me, a Notary Public for the State of Idaho, residing at Coeur d'Alene, Idaho personally appeared ROY G. MAGNUS and JO ANN MAGNUS, husband and wife, are known to me to be the persons whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

My Commission expires 11-1-77

William H. Reagon
Notary Public, Residing at
Coeur d'Alene

* If fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions.

94-7021

Identification No. 94-7021

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)

ASSIGNED TO: VLADIMIR & VALERIE E.
CATALDO, IDAHO KALINA

1. Name of applicant ROY G. MAGNUS
post office address Rt. 1, Box 208, Cataldo, Idaho
2. Source of water supply Clark Creek which is a tributary of Coeur d' Alene River
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 35 Township 48 N.
Range 2 W. B.M. Kootenai County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into Clark Creek at a point in same as $\frac{1}{4}$ of _____ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. point of diversion - pond
4. Water will be used for the following purposes:
Amount 0.85 for irrigation purpose from 6/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.06 for domestic purpose from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .06 for stockwater purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum) *See Item 8*
5. Total quantity to be appropriated:
a. 0.91 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Dam with spillway so I can build a pond to hold water for irrigation. Motor and pump to put water on fields through sprinkler pipes
- b. Height of storage dam 10' max feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: dirt 7 concrete
Period of year during which storage will occur June 1 to October 1 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 \$ 1500.00.
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 _____ $\frac{1}{4}$ of Section 35 Township 48 N.
Range 2 W. B.M. Stock to be watered in field near house
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 120 head cattle
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: domestic water for two homes and watering livestock

94 7021

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
48N	2 W	35			35	18									7	35	30	20	145 acres

Total number of acres to be irrigated 145

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

None

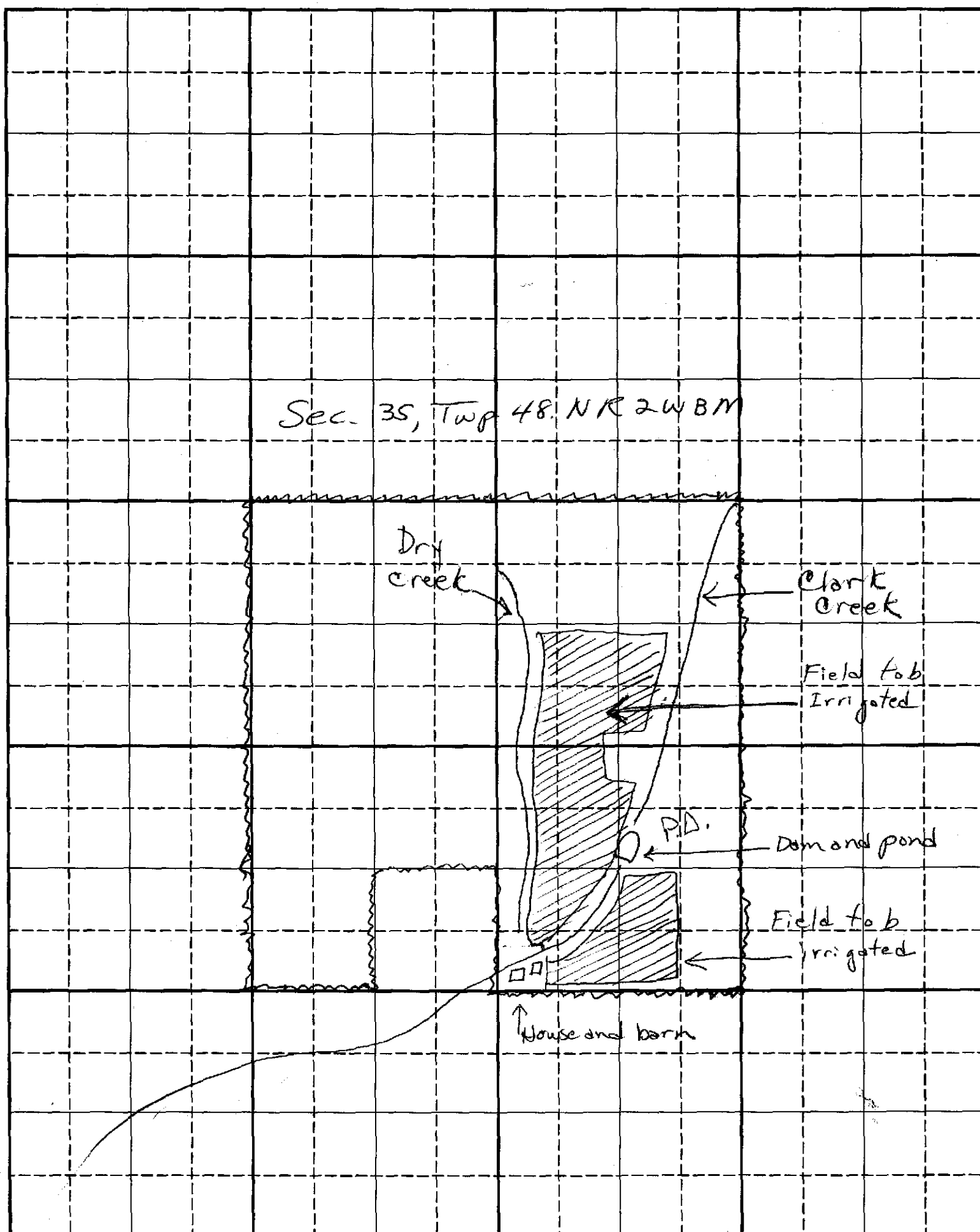
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



Scale: 2 inches equal $\frac{1}{2}$ 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.

Roy G. Magnus
(Applicant)

94 7021

Received by 21 Date 8-5-71 Time 10:30 AM 94 7021
Preliminary check by 22 Fee \$ 25.00
Receipted by 21 Date 8-6-71
Publication prepared by cr Date 8-17-71
Published in Coeur d'Alene Press
Publication dates 8-26 & 9-2-71
Publication approved cr Date 9-29-71
Priority reduced to 8-5-71 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by 22 D. D. Felt

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. 94-7021, 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 October 1, 19 76.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.

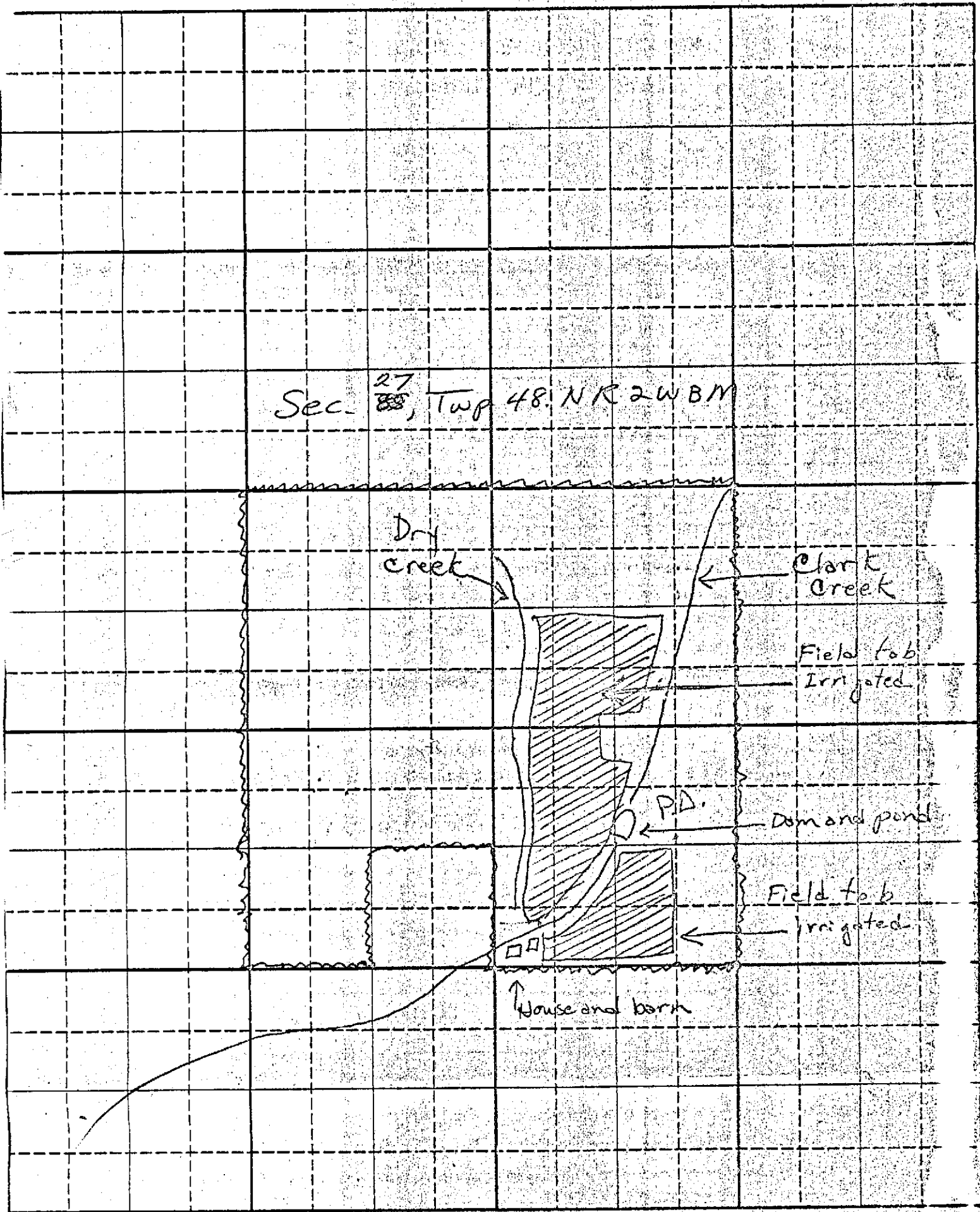
2. Denial of said application is for the following reasons: _____

Witness my hand this 5TH day of October, 19 71.

R. Keith Higin
Director

EXH. 1
Permit Map

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 1/2 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.

Roy G. Magnus
(Applicant)

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 94-7021 Name Roy G. Magnus

Source Clark Creek, tributary of Coeur d'Alene River

Point of Diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M., Kootenai County

Quantity .85 Use Irrigation Period June 1 - Nov. 1

Quantity .06 Use Domestic Period Jan. 1 - Dec. 31

Quantity .06 Use Stockwater Period Jan. 1 - Dec. 31

Well Size _____ Diameter _____ Proposed Depth _____ Feet

Use 145 acres; 120 head of cattle; domestic water for two homes and watering livestock

Date Forwarded 8-18-71 Date Returned 9-2-71 Received by J.J.

COMMENTS: Subject to prior rights.

RECOMMENDED:

Applied: Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Maximum: Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

Qty. _____ Use _____ Period _____ AF/A _____ AF _____

ACTION: Approved _____ Denied _____

Conditions of approval or reason for denial: _____

INVESTIGATION By Paul M. Casteln Title W.R.I. - I

Date Sept. 2, 1971

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY)

STATE OF IDAHO,

County of Kootenai, } ss.

Callie Painter, being first duly sworn,
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

Notice of Application for Permit

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 26 day of Aug, 1971, and ending on the

2 day of Sept, 1971.

Subscribed and sworn to, before me, this 2 day of Sept,

1971.

Callie Painter

Patrick King

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

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Roy G. Magnus, Route No. 1, Box 208, Cataldo, Idaho has on August 5, 1971 submitted Application No. 94-7021 for a permit to appropriate 0.91 cubic feet per second of water from Clark Creek, tributary of Coeur d'Alene River by means of dam, pump, and sprinklers within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for stockwater and domestic purposes within the SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M.; and from June 1 to Nov. 1 for the irrigation of 145 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, 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, Statehouse, Boise, Idaho, 83707, on or before September 13, 1971.

R. KEITH HIGGINSON
Director

Aug. 26, Sept. 2, 1971

94 7021

September 19, 1978

Re: Permit No. 94-7021

William A. &/or Janet R. Phillips
P. O. Box 428
Bridgeport, CA 93517

Dear Mr. and Mrs. Phillips:

We acknowledge receipt of the assignment submitted assigning the above referenced permit to you.

This permit has now been licensed and enclosed is a copy of this license. Also enclosed is a copy of the approved Application for Amendment along with Receipt No. 12235 for \$20.00 covering the filing fee.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

August 22, 1978

Re: Permit No. 94-7021

The Trails Restaurant
Bill and Jan Phillips
P. O. Box 428
Bridgeport, CA 93517

Dear Mr. and Mrs. Phillips:

We have received the amendment application signed by you for Vladimir and Valerie Kalina. However, we cannot accept this application until the permit is assigned to you by the Kalina's, or until the power of attorney mentioned in your letter is received.

Therefore, we are returning the \$10.00 check to you along with the amendment application which should be re-submitted with the completed assignment form or power of attorney. On July 1, 1978 all rates for filing and changing water rights raised, and therefore, the fee for an amendment is now \$20.00 rather than \$10.00. This \$20.00 filing fee must also be submitted with the amendment and assignment.

These items must be submitted as soon as possible, otherwise, as noted in our letter of July 11, 1978, this permit will be cancelled and be of no further force or effect.

If you have any questions concerning this matter, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosures

August 22, 1978

Re: Permit No. 94-7021

Valerie Kalina
Route #1, Box 208
Cataldo, ID 83810

Dear Mrs. Kalina:

In order to legally assign this permit to Bill and Jan Phillips the enclosed assignment of permit form must be completed and signed before a notary public.

Please complete this form and return it to our office as soon as possible in order to prevent cancellation proceedings from continuing on this permit.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

RECEIVED

AUG 18 1978

Department of Water Resources

August 15, 1978

Dear Mr. Alfred;

I would like to transfer my application for water rights to Clark Creek transferred to William & Jan Phillips Permit No. 94-7021. It seems that there has been a mix up on the first water rights. I received two letters one on March 22, 1978 and one on July 11, 1978 which stated we were to receive a letter dated April 21, 1978 which I never received. Cancel water rights to Clark Creek. The letter of March 22, 1978 said "If you do not concur with these findings please contact us within 10 days otherwise a water license will be issued as set forth above".

Which would of meant no change there isn't any one that lives above that place on the Creek. which would make us entitled to first water rights. I had mentioned this to the owners but they were so busy at the time they probably

OVER

didn't realize how important it
was. We would like to get the
straightened out as they would
like first water right & when
we sold the place they were
entitled to them. This is
my signature to have them
signed over

Valerio E. Kalina
to
Bud & Jan Phillips
P.O. Box 428
Bridgeport California (93517)

Thank You

U. KARINA

Rte 1 Box 208

Camarillo ID 94110 83810

CERTIFIED

No. 394326

MAIL

C. Steven Allred

Director State of Idaho
Dept of Water Resources

Boise, Idaho

— STATE HOUSE —

(83720)





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

C. STEPHEN ALLRED

Director

August 15, 1978

RE: Application for Permit No. 94-7101
Permit No. 94-7021

Mr. & Mrs. William A. Phillips
P. O. Box 428
Bridgeport, CA 93517

Dear Mr. & Mrs. Phillips:

After talking with you by telephone today, I have enclosed a copy of Application No. 94-7101 for groundwater use with a Proof of Application of Water to Beneficial Use form which we have partially typed for you, and a set of instructions to help you complete the proof form and to explain failure to submit it. Please review the proof of beneficial use form, make any corrections or additions, fill in Items 5c and 7a, sign the form before a notary public, and return it to our office as soon as possible. This will place your application in active status again. A field exam will then be done on your permit and a license will be issued based upon the field exam.

In regards to Permit No. 94-7021, a copy enclosed, for water from Clark Creek, the field examiner found upon doing a field exam that the point of diversion and place of use were not as indicated on the amendment of Roy G. Magnus. We have typed an Application for Amendment as our field examiner found the point of diversion and place of use for your signature. We have typed the amendment in your name so all future reference and the license will be issued in your name. To legally do this, you must have Vladimir and Valerie Kalina sign the Assignment for Permit form before a notary public to assign all the right, title, and interest in the water over to you. We have enclosed a typed assignment form for this purpose. To put Permit No. 94-7021 in good standing and ready to be licensed, you must review the amendment, make any corrections or additions filling in Items 4a, 4b, and 4c, sign the amendment, and return it along with the Assignment for Permit form and a check for \$20.00.

The Application for Amendment and Assignment for Permit forms for Permit No. 94-7021 must be returned to our office before September 10, 1978 to be valid, and the Proof of Beneficial Use form should be returned immediately. If you have any questions or need further assistance, please feel free to contact this office.

Sincerely,

C. STEPHEN ALLRED
Director

CSA:alw

Enc.



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 11, 1978

Re: Permit No. 94-7021

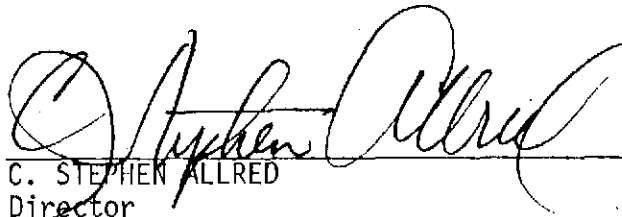
Vladimir & Valarie Kalina
Caltaldo,
Idaho 83810

Dear Mr. and Mrs. Kalina:

On May 5, 1978, we requested that you amend the above referenced permit to change the place of use to that location actually found being used by our examiner. You were advised that when such an amendment was submitted, your water license could be issued. We have failed to receive said amendment application and, as a result, are unable to issue your license.

Therefore, you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, Permit No. 94-7021 is hereby held for cancellation for failure to complete the permit as required, and you are ordered to show cause before the Director of the Department of Water Resources on or before August 10, 1978, why said permit should not be cancelled.

Permit No. 94-7021 claims the use of 0.08 cfs of water from Clark Creek to be used for domestic and stockwatering purposes, and the permit was approved October 5, 1971.


C. STEPHEN ALLRED
Director

RECEIVED
JUL 11 1978
WATER RESOURCES



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

May 5, 1978

Re: Permit No. 94-7021

Vladimir & Valarie Kalina
Caltaldo,
Idaho 83810

Dear Mr. and Mrs. Kalina:

A representative of this Department made an examination of the works covered by your Permit No. 94-7021 on April 21, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.08 cfs Source: Clark Creek

The maximum quantity diverted shall not exceed 3.1 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, Twp. 48N, Rge. 2W, B. M.

Beneficial use: Domestic and stockwater use within the NE $\frac{1}{4}$,
NW $\frac{1}{4}$, Sec. 34, Twp. 48N, Rge. 2W, B. M.

Priority date established: August 5, 1971

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$10.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:kw
Encl.

MICROFILMED

1. Name of permit holder Vladimir & Valarie Kalina

Post office address Caltalido, ID 83810

Department of Water Resources
Northern District Office

Person to contact _____ Phone _____

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

(Proof affidavit does not list irrigation)

3. Water will be used for the following purposes:

Amount 0.85 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 0.06 c.f.s. for Domestic (2) stand by
AF/Annum (nature of use)

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

Amount 0.06 c.f.s. for Stockwater (35 to 40 head of stock)
 AF/Annum (nature of use)

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

Other uses: _____

Permit No. 94-7021

Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.91 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 48N N/S, Range 2W E/W, B.M., Section 27, Subdivision NE $\frac{1}{4}$ SE $\frac{1}{4}$, Kootenai 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_____¼ _____¼ _____County

Other Points of Diversions:

Description of diverting works: gravity flow pipeline to place of use

Measuring device required: yes ☐ no ☒

REMOVED BY ORDER

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

145

MICROFILMED

T
48
N

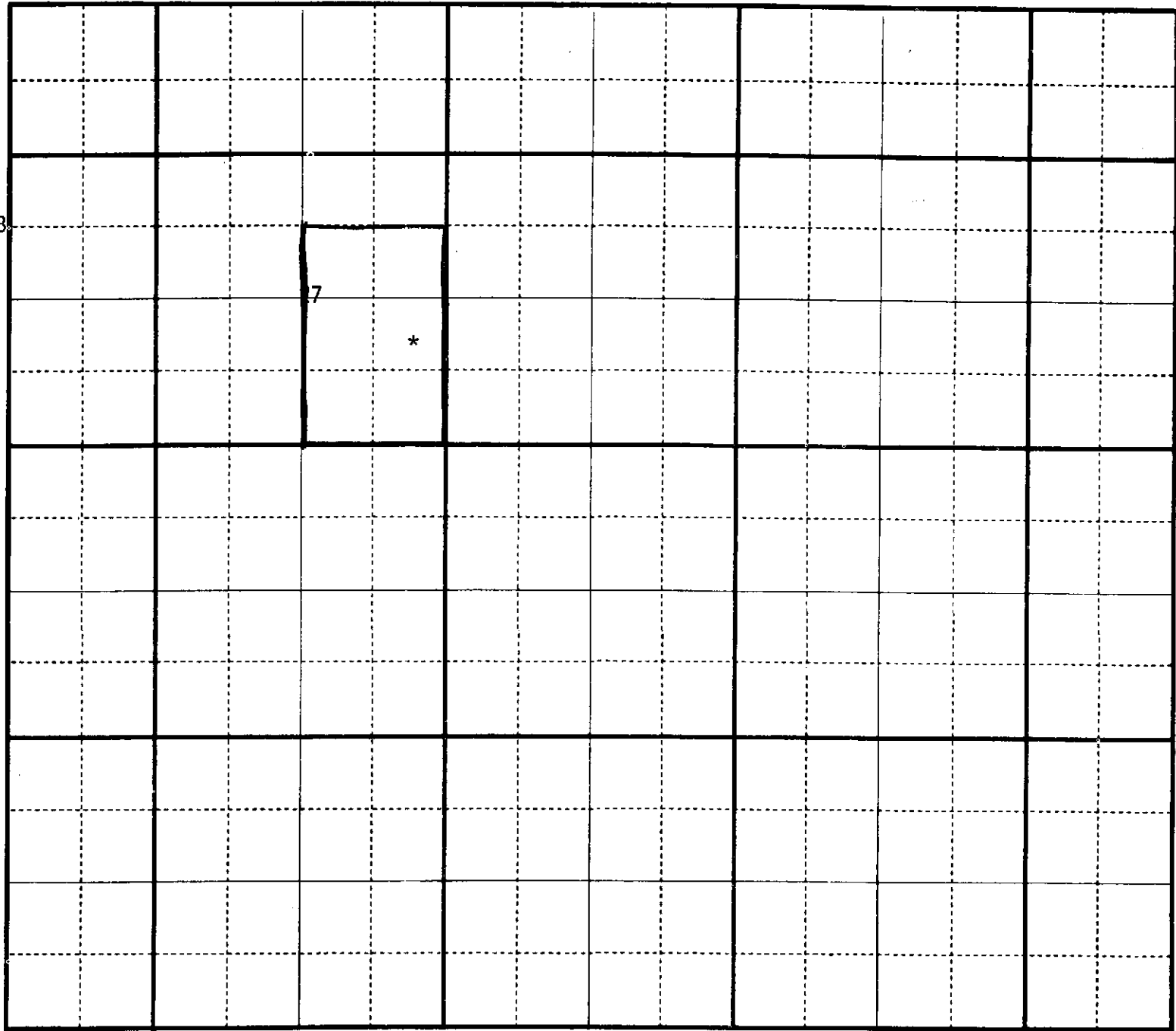


Diagram of System

DATE OF EXAM 4-20-77

ACREAGE
Found None
Recommended None

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.06 c.f.s. V= 1.8 AF/Ann. from Jan 1 to Dec 31
Livestock Q= 0.02 c.f.s. V= 0.7 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 0.08 cfs Method of measurement Calc

Total Q recommended 0.08 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 3.5 AF/Am

Recommended Amendments:

P.D. T48N R2W Sec. 34 SE NE
Place of Use T48N R2W " " NW NE - Domestic
Other " " " " N 1/2 - Stock
None _____

MEASUREMENT CALCULATION:

• Two House holds @ 0.06 cfs 1.8 AF/Am
35-40 hd stock @ 0.02 cfs .7 " "
Total 0.08 cfs 3.5 " "

SYSTEM DESCRIPTION:

Gravity flow pipe line to barn with valve to
house for back up of well for domestic use

REMARKS:

Land has not been irrigated. Domestic use
was ceased Oct-76 but kept in case new
well fails. ability to use is
New well installed oct 76 filing in process at this time

Examiner's Signature J. D. King Date 4-21-77

Checked by Sub Haynes Date 4-25-77

Approved by _____ Date _____

September 16, 1976

Re: Permit No. 94-7021

Vladimir & Valerie Kalina
Cataldo, Idaho
83810

Dear Mr. & Mrs. Kalina:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order which removes the measuring device requirement for this 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 exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosure

J

RECEIVED

AUG 27 1976

Identification No. 94-7021-jPermit No. 95-7021Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

AUG 25 1976

Department of Water Resources
Northern District Office

1. a) Name of Permit Holder Vladimir & Valerie E. Karlina
b) Post Office Address Cataldo, Idaho 83810
2. Permit Number 95-7021
3. Date of Priority that you are prepared to establish 8-5-71
4. a) Source from which water was appropriated Clark Creek
b) Location of the point of diversion: NE 1/4 SE 1/4, Section 27
Township 48N, Range 2W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.06 for Domestic purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.06 for Stock purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.12 cfs 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: _____
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: _____
b) Describe the agreement or understanding by which you take water from the works: _____
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) gravity flow pipeline to place of use
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic for (2) households
Stock watering for 35-40 head stock

9/17/76

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

Aug. 25, 1976
(Date)

Vladimir J. Kalin
Kalena Kalina
(Signature)

State of IDAHO)
County of KOOTENAI) ss.

On this 25TH day of AUGUST, 1976, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Corda M. Roberts
Notary Public residing at COEUR D'ALENE, IDAHO

My commission expires SEPT. 11, 1976

RECEIVED

AUG 25 1976

Department of Water Resources

RECEIVED

AUG 25 1976

Department of Water Resources
Northern District Office

August 25, 1976

Mr. R. Keith Higginson, Director
IDAHO DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, ID 83720

Dear Mr. Higginson:

We wish to request that the measuring device requirement on our Permit No. 94-7021 be removed. We are not using the amount of water for which we applied and therefore feel that a measuring device is not justified.

Any assistance in this matter would be appreciated.

Very truly yours,

Vladimir Kalina
VLADIMIR KALINA

Valerie Kalina
VALERIE KALINA

Cataldo, Idaho

OK to remove
by order
BDF

July 30, 1976

CERTIFIED MAIL

138857

Re: Permit No. 94-7021

Vladimir Kalina & Valerie E. Kalina
Cataldo,
Idaho 83810

Dear Mr. & Mrs. Kalina:

One of the conditions of approval of your water Permit No. 94-7021 (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 October 1, 1976. 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

December 6, 1973

Re: Permit No. 94-7021

Vladimir & Valerie E. Kalina
Cataldo,
Idaho 83810

Dear Mr. & Mrs. Kalina:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

Enclosed is a copy of this permit for your records, along with a copy of the amendment that was approved on March 27, 1972.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

Enc: Copy of permit
Copy of amendment

cc: William A. Reagan
Attorney at Law

94-7021

WILLIAM A. REAGAN

ATTORNEY AT LAW

111 N. SECOND STREET

COEUR D'ALENE, IDAHO 83814

December 3, 1973

MOHAWK 4-8225
AREA CODE 208

P. O. Box 517

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

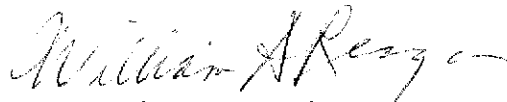
Re: Permit No. 94-7021 - Roy G. Magnus

Gentlemen:

Enclosed please find Permit No. 94-7021 issued to Roy G. Magnus together with an Assignment from Mr. Magnus to Vladimir J. Kalina and Valerie E. Kalina, husband and wife.

Would you please transfer this permit to the Kalinas in accordance with the Assignment.

Very truly yours,


WILLIAM A. REAGAN

WARmep
Enc.

CC: Mr. Vladimir Kalina

94-7021

March 27, 1972

Re: Permit No. 94-7021 - Roy G. Magnus

Herbert Nagel
Attorney at Law
P. O. Box 907
Coeur d'Alene, Idaho

Dear Mr. Nagel:

Enclosed please find a copy of the APPROVED amendment in connection with the above referenced permit. Our records have been changed accordingly.

If we may be of assistance at any time, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BL

Enclosure

cc: Roy G. Magnus
Route #1 - Box 208
Cataldo, Idaho
Enc: Copy of Amendment

94 7021

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

March 22, 1972

RECEIVED

MAR 23 1972

Department of Water Administration

Mr. Rex L. Chapman
Appropriation Examiner
State of Idaho
Department of Water Administration
Statehouse Annex-2
Boise, Idaho 83707

Re: Roy G. Magnus - Permit No. 94-7021

Dear Mr. Chapman:

Enclosed herein please find application for amendment in the above matter, together with check in the amount of \$10.00. In looking at the map, we looked at the wrong section number, the property actually being in Section 27.

Your advice and assistance herein is most appreciated.

If anything further is needed, please advise.

Yours very truly,


HERBERT NAGEL

HN:slm

Enclosures

94-7021

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

March 23, 1972

Herbert Nagel
Attorney at Law
Box 907
Coeur d'Alene, Idaho 83814

Dear Mr. Nagel:

Attached herewith is your Receipt No. 8214 in the amount of \$ 10.00
for your application for amendment in the name of Roy G. Magnus
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

34 7021

March 6, 1972

Re: Permit No. 94-7021

Mr. Roy G. Magnus
Route #1
Post Office Box #208
Cataldo, Idaho 83810

Dear Mr. Magnus:

We are enclosing a copy of the U.S.G.S. Quadrangle map, as requested. Also enclosed, please find a copy of the above referenced permit map, as well as an amendment form for your use in this matter.

In reviewing the U.S.G.S. Quadrangle map, you will find no south half of Section 35, Township 48 North, Range 2 West, Boise Meridian.

There will be a \$10.00 fee for the filing of this amendment.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Rex L. Chapman
Appropriation Examiner

RLC:cs

Enc: copy of U.S.G.S. Quadrangle map
copy of referenced permit map
amendment form

94 7021

March 15, 1972
RECEIVED

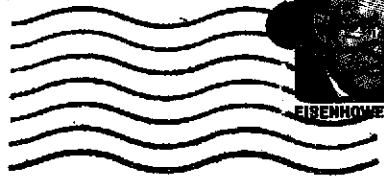
Dear Mr Chapman,

Department of Water Administration

I received your letter about the discrepancy of the point of diversion for my water system. I had my lawyer fill out those forms and make up all of the papers. So between him and I we might have made the discrepancy. The point of diversion is in the right spot on the map that we drew and sent to you but I don't know if the map is drawn on the right squares to fit on your U.S.G.S. map. If you want me to you could send me a U.S.G.S. map and I will have my lawyer draw the map on your U.S.G.S. map. I hope this will help you, I will write again and I will do what I can to straighten this matter up

Roy Magnus.
Rt 1, Box 208
Cataldo, Idaho

Roy Magnus
ATTN Box 208
Cataldo, Idaho



EISENHOWER USA

State of Idaho
Department of Water Administration
Statehouse Annex 2
Boise, Idaho
83707

94 7021

February 29, 1972

Re: Permit No. 94-7021

Mr. Roy G. Magnus
Route #1
Post Office Box #208
Cataldo, Idaho 83810

Dear Mr. Magnus:

While attempting to plot the point of diversion of the above referenced permit, on a U.S.G.S. Quadrangle map, we find a discrepancy between the topography at the point of diversion on the permit map and the topography at the point of diversion shown on the U.S.G.S. Quadrangle map. Would you please check your records to assist us in determining the proper description.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Rex L. Chapman
Appropriation Examiner

RLC:cs

94-7021

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 94-7021 Name Gerald L. McKimSource Robinson Creek, tributary to Coeur d'Alene RiverPoint of Diversion SE 1/4 NE 1/4, Sec. 25, T. 48N, R. 2W, B.M., Kootenai CountyQuantity 1 cfs Use Irrigation Period July 1 - Sept. 15Quantity Use Period Quantity Use Period Well Size Diameter Proposed Depth FeetUse 50 acresDate Forwarded 6-22-71 Date Returned 6-18-71 Received by J.L.

COMMENTS: Point of diversion is approx. 2 1/2 miles above Robinson Creek's confluence with the Coeur d'Alene River. Development was light at date map was drawn (St. MARIES 15' QUAD, 1957). Subject to prior rights.

RECOMMENDED:

Applied: Qty. 1.0 Use IRR. Period 7/1 - 9/15 AF/A 3.0 AF 47Qty. Use Period AF/A AF Qty. Use Period AF/A AF Maximum: Qty. 1.0 Use IRR. Period 3/15 - 11/15 AF/A 3.0 AF 150Qty. Use Period AF/A AF Qty. Use Period AF/A AF ACTION: Approved ☒ Denied ☐Conditions of approval or reason for denial: INVESTIGATION By Paul M. Casteln Title W.R.I. - IDate June 23, 1971

94 7021

October 5, 1971

Re: Permit No. 94-7021 - Roy G. Magnus

Roy G. Magnus
Route #1, Box 208
Cataldo, Idaho 83810

Dear Mr. Magnus:

Enclosed is a copy of your approved Application for Permit No. 94-7021. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

94 7021

September 15, 1971

Re: Application No. 94-7021 - Roy G. Magnus
Claim No. 96-4025 - E. O. McGovern

Coeur d'Alene Press
2nd & Lakeside
Coeur d'Alene, Idaho 83814

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on August 26 and September 2, 1971.

If you have already forwarded the above requested items, please disregard this letter. Your cooperation is most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

94 7021

I

August 18, 1971

Re: Application No. 94-7021 - Roy G. Magnus
Claim No. 96-4025 - E. O. McGovern

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Idaho 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 date. 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,

Donald W. McEddowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notices

Bill submitted 9-24-71 By DL

94 7021

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Roy G. Magnus, Route No. 1, Box 208, Cataldo, Idaho has on August 5, 1971 submitted Application No. 94-7021 for a permit to appropriate 0.91 cubic feet per second of water from Clark Creek, tributary of Coeur d'Alene River by means of dam, pump, and sprinklers within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for stockwater and domestic purposes within the SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M.; and from June 1 to Nov. 1 for the irrigation of 145 acres within the S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, 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, Statehouse, Boise, Idaho, 83707, on or before September 13, 1971.

R. KEITH HIGGINSON
Director

Aug. 26, Sept. 2, 1971

O.K.
8-27-71
J.B.

94 7021

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Roy G. Magnus, Route #1, Box 208,
Cataldo, Idaho

has on August 5, 1971 submitted Application No. 94-7021
for a permit to appropriate 0.91 cubic feet per second ~~zero feet per second~~
of water from Clark Creek, tributary of Coeur d'Alene River
by means of dam, pump, and sprinklers
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31 for stockwater and domestic purposes within the
~~NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M.;~~ and from June 1 to Nov. 1 for the irrigation
of 145 acres within the ~~S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, B.M.~~

~~NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 48N, R. 2W, 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, Statehouse, Boise, Idaho, 83707, on or before September 13, 1971.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Aug. 26 and Sept. 2, 1971.

94 7021

August 10, 1971

Herbert Nagel
Attorney at Law
P. O. Box 907
Coeur d'Alene, Idaho 83814

Dear Mr. Nagel:

Attached herewith is your receipt No. 7443 in the amount of \$ 25.00
for Roy G. Magnus application for permit
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

84 7021

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

August 4, 1971

State of Idaho

Department of Water Administration

Statehouse Annex 2
Boise, Idaho 83707

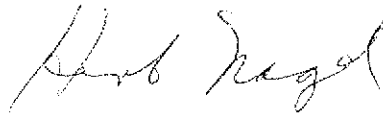
Attention: Mr. Dorian Clay
Appropriation Examiner

Dear Mr. Clay:

In accordance with your letter of June 1, 1971,
we have had Mr. Magnus prepare a new application,
and the same is enclosed herewith, together with
check in the amount of \$25.00 filing fee. We
hope the same is now in order.

Your assistance and cooperation is appreciated.

Yours very truly,



HERBERT NAGEL

HN:slm

Enclosure