

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of.....².....issues, the first publication being on the...17 day of...January...., 19.80 and the last on the.24....day of....January..., 1980.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes
.....
Subscribed and sworn to before me this...24th... day of January..., 19.80

Beverly A. Linn
.....
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

91-7044

Name: Ruth D. Osier
Address: Rt. 2 Box 28, St. Maries, Idaho 83861

Date Filed: Nov. 16, 1979

Amount: 0.04 cubic feet per second

Source: Spring

Means: Reservoir & Pipe

Point of Diversion: NWNE Sec 16 T

46N R 02W, Benewah county

Place of Use: NWNE Sec 06 T 46N R 02W

Use: Stockwater (0.02 cfs) from Jan. 1 to Dec. 31; Domestic (0.02 cfs) from Jan. 1 to Dec. 31.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho, 83814 on or before February 4, 1980.

C. STEPHEN ALLRED
Director

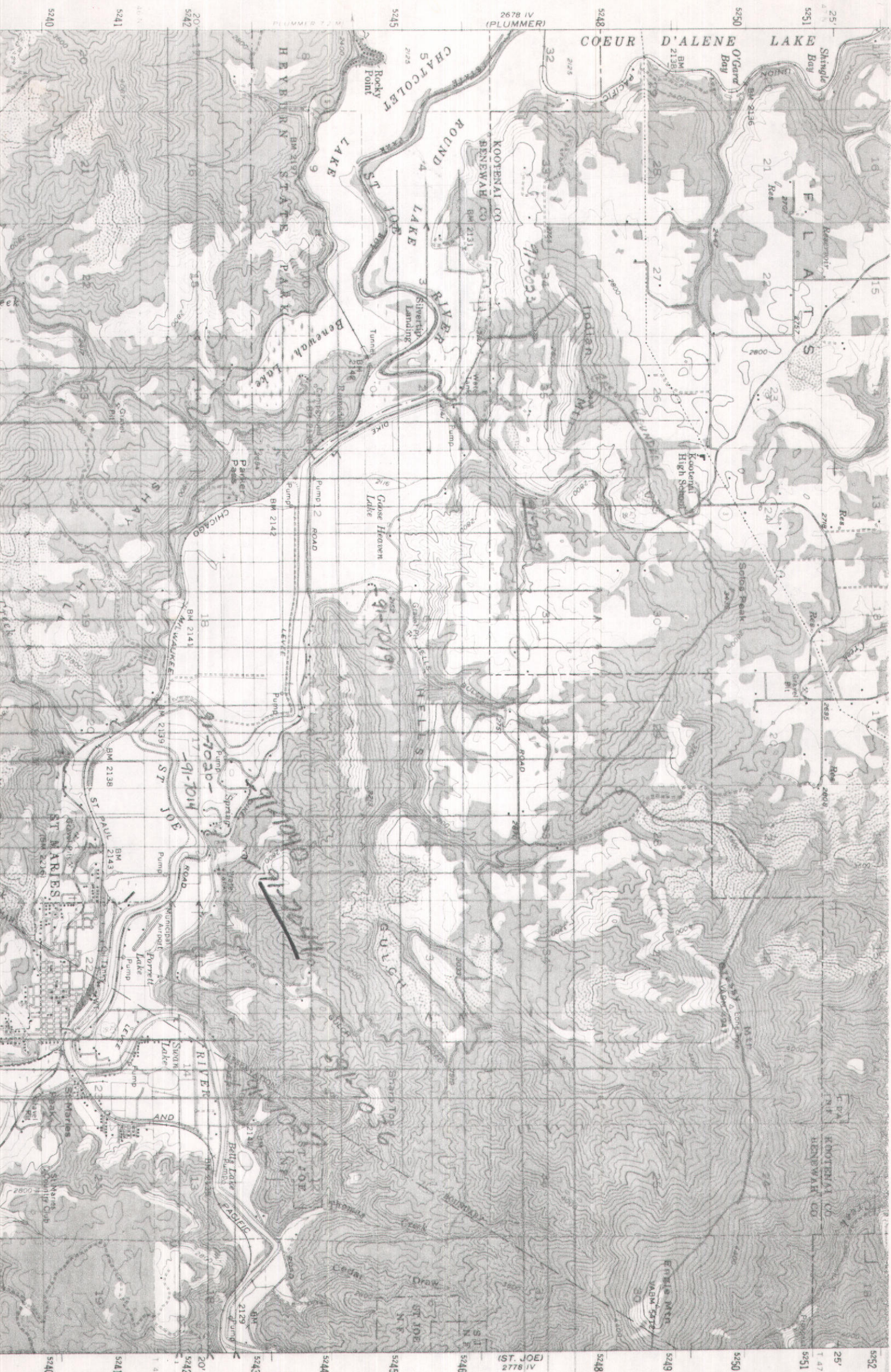
No. 6018 — Jan. 17-24.

RECEIVED

JAN 25 1980

Department of Water Resources
Northern District Office

MICROFILMED



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 91-7044 Priority January 4, 1980 Amount .02 cfs

THIS IS TO CERTIFY, that RUTH D. OSIER
of St. Maries, ID, has complied with the terms and conditions of Permit
No. 91-7044 issued pursuant to Application for Permit dated January 4, 1980,
and has submitted proof to the Department of Water Resources on January 8, 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 .02 cfs of water from a spring,
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
<u>Stockwater</u>	from <u>1/1</u> to <u>12/31</u>	at <u>.02</u> cfs and	<u>.7</u> AF
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .02 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
.7 acre feet per year, said waters to be diverted within the NWNE, Sec. 16, T46N, R2W
in the County of Benewah

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46N	2W	16																	

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 3 day of
August, 19 81.

MAILED

Director

Form 202
3/83
RECEIVED

NOV 16 1979

Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 71-7044

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Roth D. Esier Phone 245-2049
Post office address R#2 Box 28 St. Maries, Idaho
2. Source of water supply Spring which is a tributary of _____
3. Location of point of diversion is NW ¼ of NE ¼ of Section 16 Township 46 N
Range 2W B.M. BENEWAH County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .01 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .01 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)

5. Total quantity to be appropriated:

a. .04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small brick
reservoir and pipe line

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage 11 to 12-31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years). reservoir was put in in 1941

8. Description of proposed uses:

a. If water is not for irrigation:
(1) Give the place of use of water: NW ¼ of NE ¼ of Section 16 Township 46 N
Range 2W B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered 50
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.
(5) If water is to be used for other purposes describe: house - livestock - garden

[illegible]

Rev. A. S. 1872

APR 15 1957

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

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

T 46 N R. 2 W

Place of use point of diversion

Sec 16

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.

Ruth Eries
(Applicant)

Proposed Priority 1/4/80

Received by JB Date 1-16-79 Time 11:30
Preliminary check by JB Fee \$ 20.85
Received by JB Date 1/9/80 (15184)
Publication prepared by JB Date 1/10/80
Published in Idaho State Journal
Publication dates 1/17-24/80
Publication approved JB Date 1/20/80
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JB

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. 91-7044, 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 March 1, 19 81.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 15 day of February, 19 80.

J. Allen Saylor

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 17 day of January, 1980 and the last on the 24 day of January, 1980.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes
Subscribed and sworn to before me this 24th day of January, 1980

Beverly A. Linn
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for review to appropriate public waters of the State of

91-7044

Name: Ruth D. Osier
Address: Box 28, St. Maries, Idaho 83857

Date Filed: Nov. 15, 1979

Amount: 0.02 cfs for second Source: Spring

Point of Diversion: NWNE Sec 10 T 44N R 02W, Benewah County

Place of Use: NWNE Sec 10 T 44N R 02W

Use: Stock water (0.02 cfs) from Jan. 1 to Dec. 31; Domestic (0.02 cfs) from Jan. 1 to Dec. 31.

If issued, the permit(s) will be subject to all other water rights. Provisions for the granting of any permit must be filed with the

Director, Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814 on or before February 1, 1980.

C. STEPHEN ALLRED
Director

No. 6018 — Jan. 17-24.



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

September 4, 1981

RE: Permit No. 91-7044

Ruth D. Osier
Route #2, Box 28
St. Maries, ID 83861

Dear Ms. Osier:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

August 10, 1981

Ruth D. Osier
Rt. 2, Box 28
St. Maries, ID 83861

Dear Ms. Osier:

A representative of this Department has made an examination of the works covered by your Permit No. **91-7044**, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: **.02 cfs** Source: **spring**

The maximum quantity diverted shall not exceed **.7** acre feet per year.

Point(s) of diversion: **NWNE, Section 16, Twp 46 N., Rge 2 W.**

Beneficial use: **Stockwater use within the NWNE, Section 16, Twp 46 N, Rge 2 W.**

Priority date established: **January 4, 1980**

Conditions (if any):

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.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

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RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUL 13 1981

Department of Water Resources

91-7044

Permit No.

5-1

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 7/1/81 Accompanied by Owners Dog Total Q measured 0.02
If source is surface water, estimate total flow of source 0.04 cfs
Methods of measurement Calculation/Estimate Meets Permit requirements? _____

Measurement calculations: Stock water for less than 50 head, $Q = 0.02$, $V = 0.02 \text{ afa}$

 $V = .7$ as per stock table

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description developed spring with 1" plastic pipe to stock tank. Has not been developed for domestic

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
<u>Stock</u>	<u>0.02</u>	<u>0.2 .7</u>	<u>1/1</u>	<u>12/31</u>
Total	<u>0.02</u>	<u>0.2 .7</u>		

Remarks Domestic is not developed

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EXAMINER'S \$

Date _____

James Edward
Stewart

☐ Other _____

☒ None

[illegible]

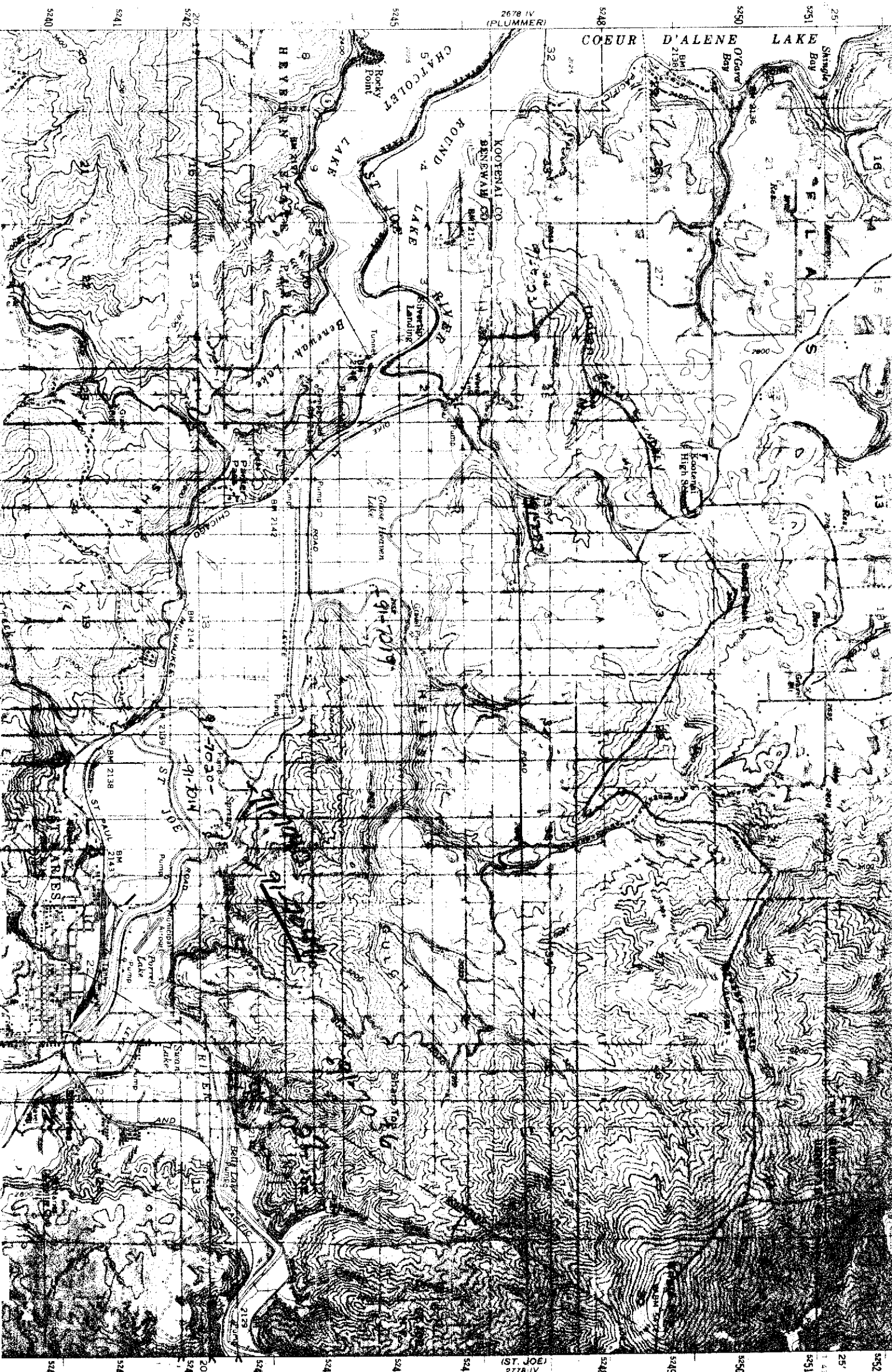
Point(s) of diversion: ~~NW 1/4 Sec 16, T46N, R4W~~

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

SCHEMATIC DIAGRAM OF SYSTEM

A hand-drawn diagram on a grid background. The diagram consists of a rectangular area defined by a solid line. Inside this area, there is a dashed line forming a smaller rectangle. The diagram is labeled with 'T46L' and 'T46R' at the bottom, 'T46' in the center, and 'T46R' at the top. The diagram is oriented vertically.

MAP (Attach Aerial Photo)



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

January 20, 1981

Ms. Ruth Osier
Rt. 2 Box 28
St. Maries, Id. 83861

RE: 91-7044

Dear Ms. Osier:

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.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

RECEIVED
JAN 21 1981
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 91-7544

Name(s) of Permit Holder: Ruth Osier

Post Office Address: Rt 2 Box 28 - St. Maries, Idaho

Tel. No. 245-2029

Source of Water: Spring

Extent of Use:

☒ Domestic	<u>4</u>	(number of households)
☒ Stockwater	<u>Cow 8</u>	(number and type of stock)
☐ Irrigation		(acres)
☐ Other		

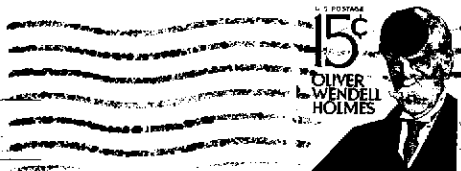
Measuring Device:	Required?	☐ Yes	☒ No	Installed?	☐ Yes	☐ No
Access Port:	Required?	☐ Yes	☒ No	Installed?	☒ Yes	☐ No

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

Jan. 6, 1981
Date

Ruth Osier
Signature of Permit Holder

Ruth Osier
Route #2
St. Maries, Idaho 83861



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

OSIER, RUTH D.
RT. 2 BOX 28
ST. MARIES, ID 83861

138815

DECEMBER 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 91-7044 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

February 15, 1980

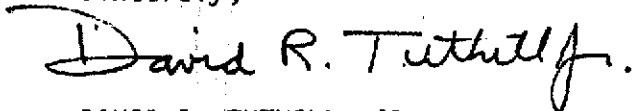
Ruth D. Osier
Rt. # 2 Box 28
St. Maries, Idaho 83861

Dear Ms. Osier,

RE: Permit No. 91-7044

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,



DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

MAILED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 91-7044

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

- ☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

When I spoke with Ms. Osier on the phone, she indicated that the pond had not been used in over 5 years.

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 2/4/80
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1/25/80
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district?
1/4/80 Date of priority recommended. Priority reduced because information
Special conditions of approval or cover letter. was more 30 days in coming

STATE OFFICE REVIEW:

By: [Signature] Date: 1/4/80

Short letter w/o conditions

- ☐ See attached sheet for more information.

By: [Signature] Date: 2/8/80

MICROFILMED

91-2044

OSIER, RUTH D.

RT. 2 BOX 28, ST. MARIES, ID 83861

Source: SPRING

Date Filed: 11/16/1979

Amount: 0.04 CFS

Diversion Point: NWNE Sec 16 T 46N R 02W, BENEWAH Co.

Use: STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NWNE Sec 06 T 46N R 02W

Diversion Means: RESERVOIR & PIPE

UNRECORDED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

January 10, 1980

Ms. Ruth D. Osier
Rt. 2 Box 28
St. Maries, Idaho 83861

RE: 91-7044

Dear Ms. Osier:

Enclosed is Receipt No. 15184 in the amount of \$20.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Stypa

PMS

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

December 20, 1979

Ms. Ruth D. Osier
Route 2 Box 28
St. Maries, ID 83861

Dear Ms. Osier:

I am returning your check #92-170 in the amount of \$20.00 and your Application for Permit to allow you to clarify the place of use and point of diversion as we discussed on the phone.

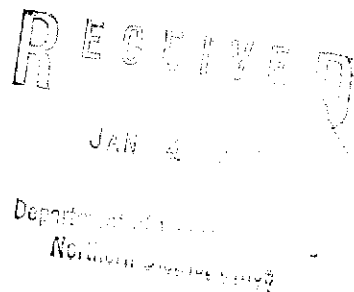
If you have any further questions, please do not hesitate to contact our office.

Sincerely,


Tom D. King
Senior Water Resource Agent

TDK/jb

Enc: Application
Check # 92-170



You were right it had the description wrong.

*Thank you
Ruth Osier*

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