

A. 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 two issues, the first publication being on the 13th day of September, 1979 and the last on the 20th day of September, 1979.

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 20th day of September, 1979.

Shelly Hammes

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:

91-7039

Name: Ernest L. Banderob
Address: Rt. 2, Box 193, St. Maries, Idaho 83861

Date Filed: Aug. 28, 1979

Amount: 0.12 cubic feet per second

Source: Groundwater

Means: Well, pump & pipe

Point of Diversion: SESW Sec 33 T 47N R 02W, Benewah county

Place of Use: NESW SWSW SWSE Sec 33 T 47N R 02W

Use: Domestic (0.12 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 OCTOBER 1, 1979.

C. STEPHEN ALLRED
Director

No. 5867 — Sept. 13-20

RECEIVED
SEP 25 1979

Department of Water Resources
Northern District Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 91-7039 Priority August 28, 1979 Amount .12 cfs

THIS IS TO CERTIFY, that Ernest L. Banderob
of St. Maries, ID, has complied with the terms and conditions of Permit
No. 91-7039 issued pursuant to Application for Permit dated August 28, 1979,
and has submitted proof to the Department of Water Resources on November 13, 1979,
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 .12 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(3 units)</u>	from <u>January 1</u> to <u>December 31</u> at <u>.12</u> cfs and <u>3.6 acre feet</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		
	(both dates inclusive)		

Subject, however, to the condition that no more than .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
3.6 acre feet per year, said waters to be diverted within the SESW Sec. 33
T47N 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	
47N	2W	33									X		X				X		

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

Director

Identification No. 91-7039

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)

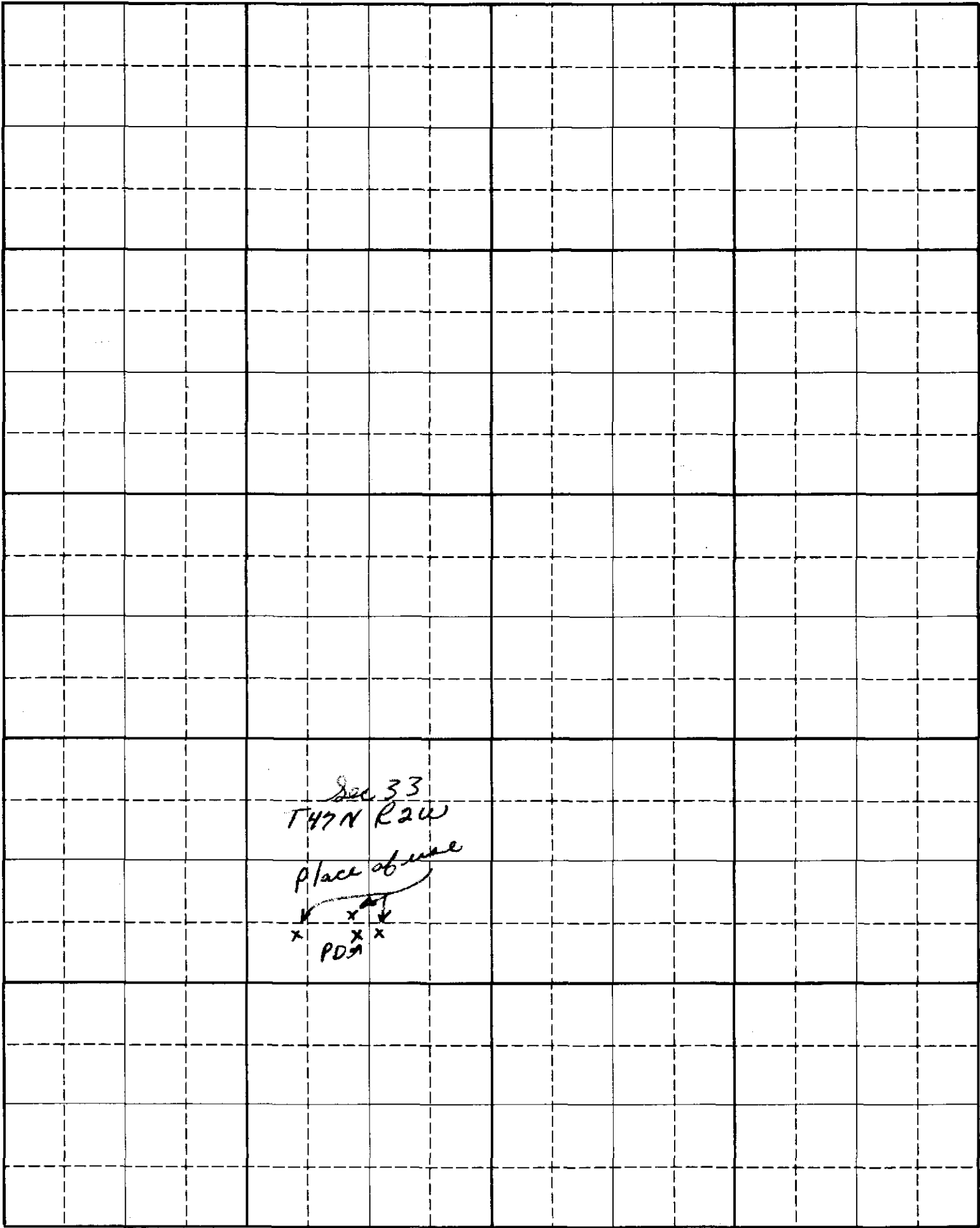
1. Name of applicant Ernest L. Bandrob -245-3141
post office address Rt 2 Box 193 St. Maries, Id 83861
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 47N
Range 2W B.M. Beneva County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.12 for Domestic purpose from 1-1 to 12-31 (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. 6" x 340' well, pump & pipeline
- 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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water:

	NE	SW
	SW	SW

SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 47N
Range 2W 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 3.
(5) If water is to be used for other purposes describe: Lawns & gardens

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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.

x Emert L Banderob
(Applicant)

Proposed Priority

8/28/79

Received by RAH Date 8/25-79 Time 11:00 AM
Preliminary check by RAH Fee \$ 20.00
Received by RAH Date 8/28/79 (14198)

Publication prepared by RAH Date 8/28/79
Published in the above file
Publication dates 9-13 - 9-20
Publication approved RAH Date 9-26-79
Priority reduced to _____ Reason _____

Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____

Recommended for approval denial by RAH

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. 91-7039, 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 November 1, 19 80.

c. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another.

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

Witness my hand this 9th day of October 19 79.

D. Allen Saylor

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County of Benewah, ss.

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JoJane Hammes

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Shelly Hammes

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:

91-7039

Name: Ernest L. Banderob
Address: Rt. 2, Box 193,
Idaho 83841

Date Filed: Aug. 20, 1979

Amount: 0.12 cubic feet per second

Source: Groundwater

Means: Well, pump and power

Point of Diversion: From the

47N R 02W, Benewah county

Place of Use: Benewah County

Sec 33 T 43N R 02W

Use: Domestic

to Dec. 31

If issued, the permittee will

subject to all prior water rights

Protests against this permit

must be filed with the

Director of the Idaho

Water Resources, 400

Coeur d'Alene, Idaho

before OCTOBER 12, 1979

C. STEPHENSON

Director

No. 5867 — Sept 10-20

Department of Water Resources
100 North Main Street
Boise, Idaho 83725

MICROFILMED

September 22, 1982

RE: Permit No. 91-7039

Ernest L. Banderob
Route 78, Box 193
St. Maries, ID 83861

Dear Mr. Banderob:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED
JUL 22 1982
Department of Water Resources

91-7039
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 6-22-82 Accompanied by Neighbor Total Q measured -
If source is surface water, estimate total flow of source -
Methods of measurement Est Meets Permit requirements? -

Measurement calculations:

3 homes 0.12 - 3.6

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

System Description 6" x 340' Well with pump & pipeline to homes

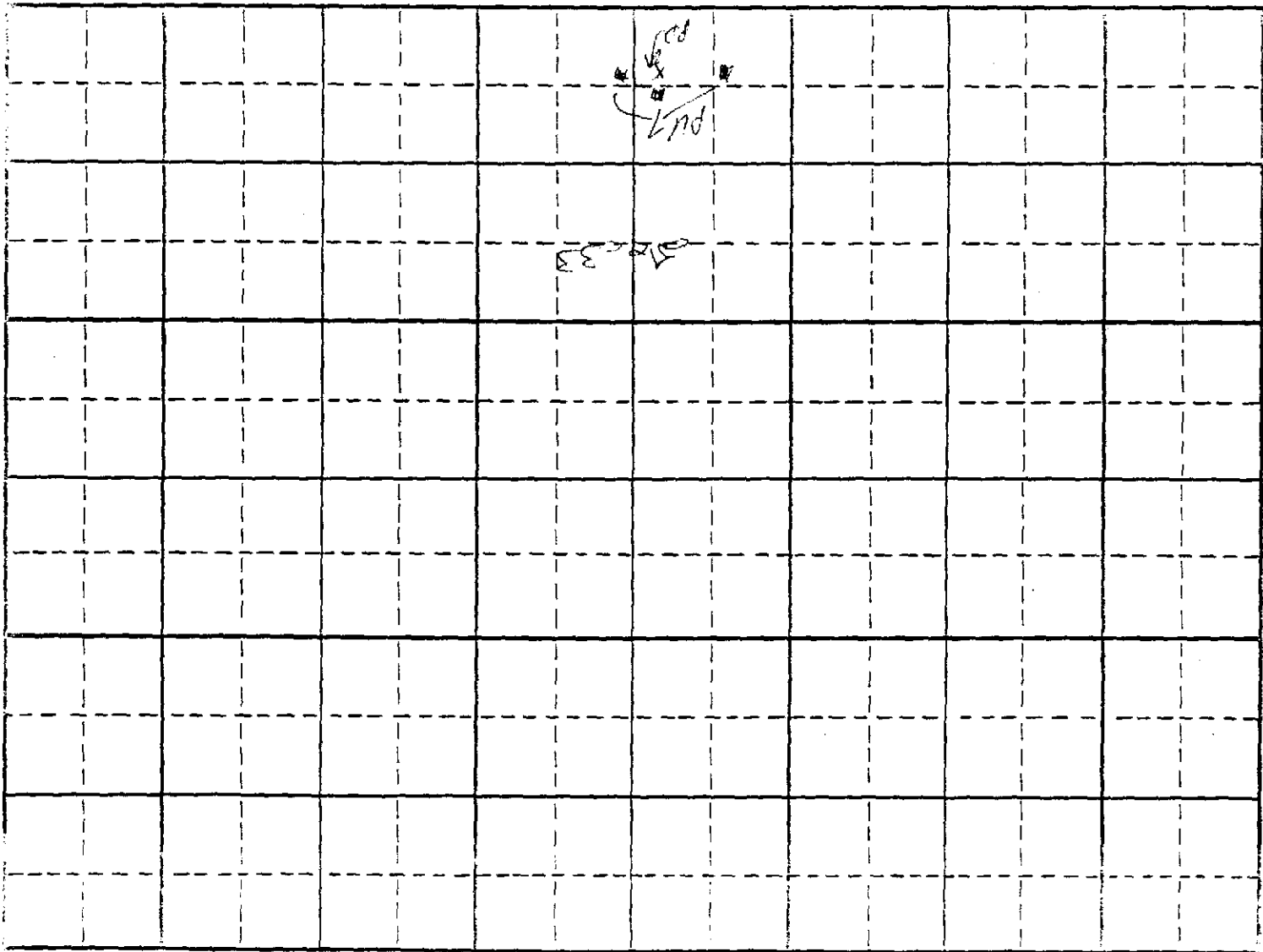
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u>	<u>0.12</u> ✓	<u>3.6</u> ✓	<u>1-1</u>	<u>12-31</u>
Total	<u>0.12</u> ✓	<u>3.6</u> ✓		

Remarks

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: 33-33-47N-20

Place(s) of Use

TWP.	RGE.	SEC.	NE%	NW%	SE%	SW%	NE%	NW%	SE%	SW%	NE%	NW%	SE%	SW%	NE%	NW%	SE%	SW%	TOTALS
47N	20	33																	

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above
- ☒ None
- ☐ Other

Examiner's Signature: [Signature]
Checked by: [Signature]
Approved by: [Signature]
Date: 7/15/82
Date: 8/2/82

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

December 19, 1979

Mr. Ernest L. Banderob
Route 2 Box 193
St. Maries, ID 83861

RE: 91-7039

Dear Mr. Banderob:

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. 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

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

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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. 11-7039

Name(s) of Permit Holder: Ernest L Banderob

Post Office Address: Rt 2 Box 193

St Maries

Source of Water: Ground water

NOV 12 1979

Extent of Use:

☒ Domestic

3

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

Department of Water Resources
Northern District Office

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.

11-B 79

Date

Ernest L Banderob

Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

RECEIVED

NOV 13 1979

NOV 14 1979

Department of Water Resources

Department of Water Resources
Northern District Office



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



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

October 10, 1979

Ernest L. Banderob
Route 2 Box 193
St. Maries, Idaho 83861

Dear Mr. Banderob,

RE: Permit No. 91-7039

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.

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

DRT:lr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: RYM APPLICATION NUMBER: 91-7039

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. N/A
☒ Yes ☐ No* In form for advertising.
Final date for protests: 10-1-79
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9-26-79
☒ 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? _____
☒ 8-28-79 Date of priority recommended.
Special conditions of approval or cover letter. _____

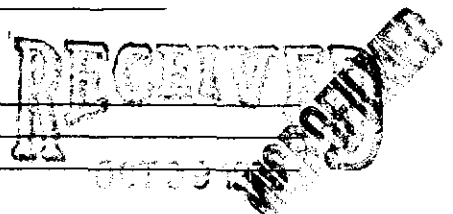
By: RYM Date: 10-4-79

STATE OFFICE REVIEW:

04 Short letter w/o conditions

- ☐ See attached sheet for more information.

By: Jui Date: 10/9/79 Department of Water Resources



91-2039

BANDEROB, ERNEST L.

RT. 2 BOX 193, ST. MARIES, ID 83861

Source: GROUNDWATER

Date Filed: 08/28/1979

Amount: 0.12 CFS

Diversion Point: SESW Sec 33 T 47N R 02W, BENEWAH Co.

Use: DOMESTIC (0.12 CFS) from 01/01 to 12/31

Place of Use: NESW SWSW SWSE Sec 33 T 47N R 02W

Diversion Means: WELL, PUMP & PIPE

