

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 1st day of September, 1977 and the last on the 8th day of September, 1977.

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 9th day of September, 1977.

Ora Lyon
.....
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert F. and-or Shirley L. Scheib, Rt. 3, Box 94, St. Maries, Idaho has on August 19, 1977 submitted Application No. 91-7031 for a permit to appropriate 0.04 cubic feet per second of water from an unnamed stream by means of a gravity flow pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T46N, R1W, B.M., Benewah County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24, T46N, R1W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814, on or before September 19, 1977.

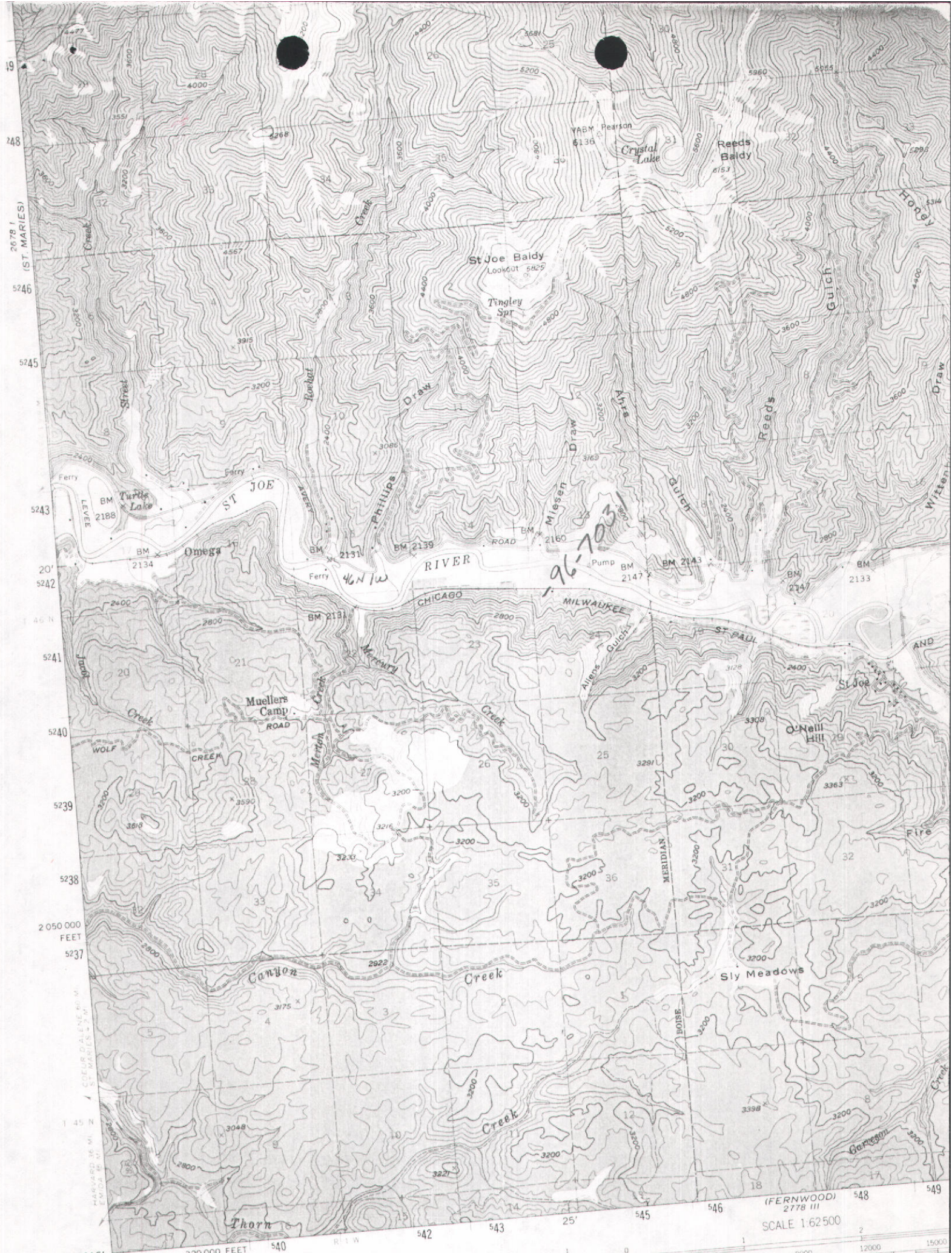
C. STEPHEN ALLRED
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho, on September 1 and September 8, 1977.

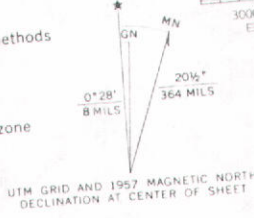
No. 4992 — Sept. 1 - Sept. 8

O/K
9-12-77 B

MICROFILMED



Mapped, edited, and published by the Geological Survey
 Control by USGS and USC&GS
 Topography from aerial photographs by photogrammetric methods
 Aerial photographs taken 1947-1948 and 1954
 Field check 1957
 Polyconic projection. 1927 North American datum
 10,000-foot grid based on Idaho coordinate system, west zone
 1000-meter Universal Transverse Mercator grid ticks,
 zone 11, shown in blue
 Dashed land lines indicate approximate locations
 Unchecked elevations are shown in brown



SCALE 1:62,500
 CONTOUR INTERVAL 80 FEET
 DATUM IS MEAN SEA LEVEL
 THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARD
 FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR BY
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 91-7031 Priority August 19, 1977 Amount .04 cfs

THIS IS TO CERTIFY, that Jack W. Dillard
of St. Maries, ID, has complied with the terms and conditions of Permit
No. 91-7031 issued pursuant to Application for Permit dated August 19, 1977,
and has submitted proof to the Department of Water Resources on January 26, 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 .04 cfs of water from Unnamed stream,
tributary to St. Joe 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
Domestic (1 unit)	from Jan 1 to Dec 31	at .04 cfs	and 1.2 acre feet
	from to at cfs		
	from to at cfs		

(both dates inclusive)

Subject, however, to the condition that no more than .04 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
1.2 acre feet per year, said waters to be diverted within the NWNW Section 24, Twp 46N,
Rge 1W 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	1W	24					X												

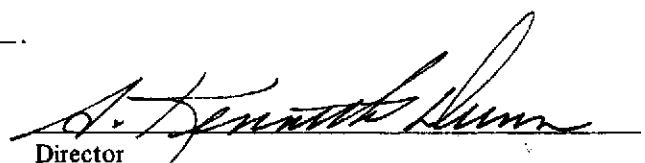
Total number of acres irrigated _____

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 21 day of
September, 19 81.

MICROFILMED


Director

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT #	NAME	AMOUNT C.F.S.
~~App. for Permit~~	~~91-7031~~	~~Robert F. &/or Shirley L. Scheib~~	~~0.04~~
Assignment	91-7031	Jack W. Dillard	0.04

MICROFILMED

RECEIVED

OK AUG 22 1980
Department of Water Resources

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

5/5
RECEIVED
AUG 19 1980
Department of Water Resources
Permit Section

I, Robert Scheib, hereby assign to Jack W. Dillard
of P.O. Box 87, St. Maries, Idaho 83861
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 91-7031
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 13th day of August, 19 80.

Robert F. Scheib
Permit Holder

Sherry S. Scheib
Spouse of Permit Holder

State of Idaho)
County of Bennett) ss.

On this 13 day of August, 19 80, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

seal

David Charles Kerner
Notary Public residing at
St. Maries Idaho

My commission expires:
4-15-81

MICROFILMED

SIGNED TO:
Jack W. Dillard
P.O. Box 87
St. Maries, Idaho 83861
Aug. 19, 1980

Identification No. _____

Application No. 91-7031

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Robert F. & Shirley L. Scheib Phone: _____
post office address RT 3 Bx 94 St. Maries, Id.
2. Source of water supply Unnamed Stream which is a tributary of St. Joe River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 46N
Range 1W B.M. Beneviah 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 0.04 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. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Gravity flow pipe
liner

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 \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24 Township 46N
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 040.
(5) If water is to be used for other purposes describe: _____

[illegible]

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

342

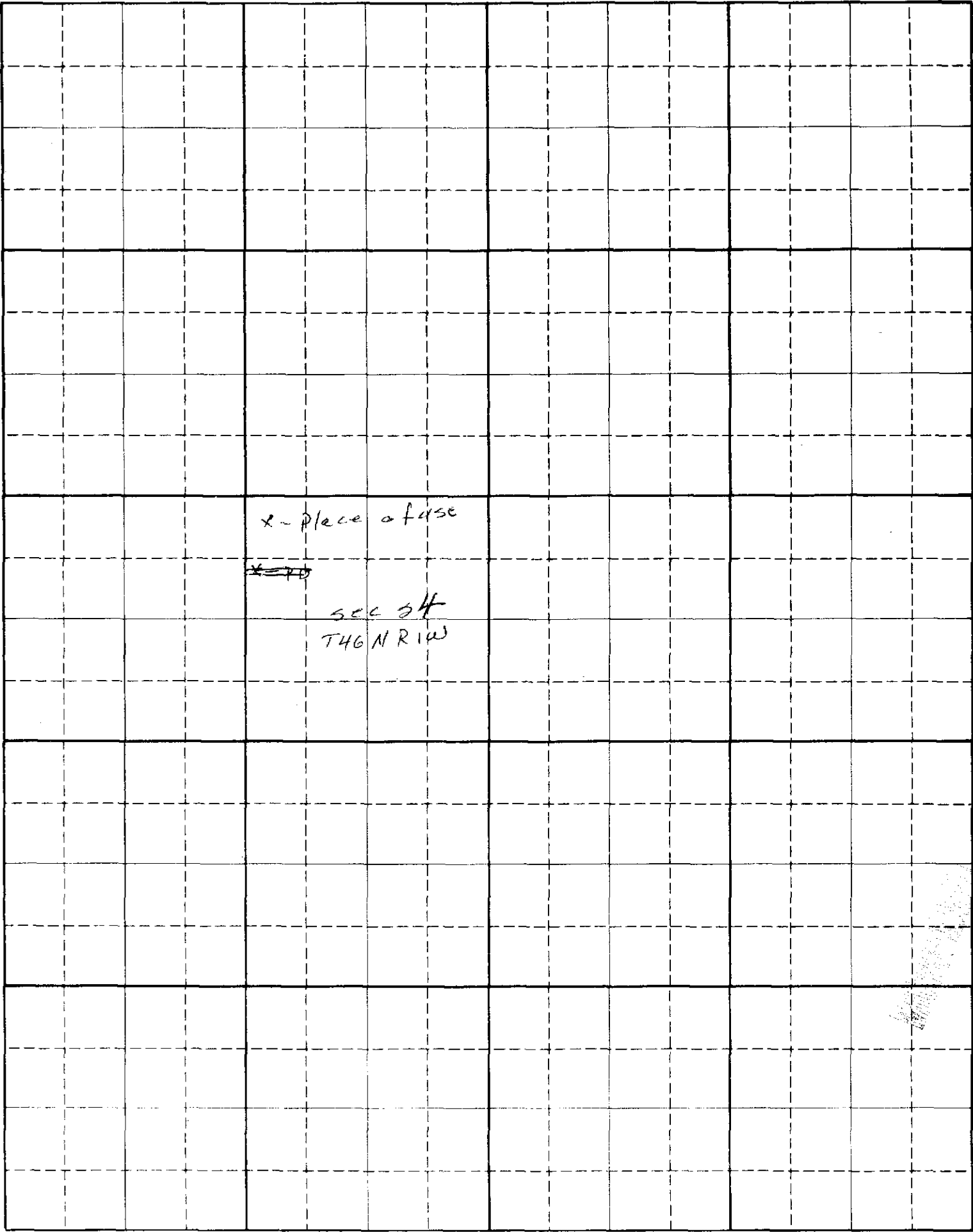
~~St. Lawrence East Road, Applicant~~

App. 10. 27

applicant to make this filing -

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings visible.

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.

✓ Mrs. Robert Scheib
(Applicant) (Shirley L)

Proposed priority date: August 19, 1977

Received by 32 Date 8-19-77 Time 3:08 PM
Preliminary check by 32 Fee \$ 10.00
Received by K.L. Date 8-22-77 (5745)
Publication prepared by 32 Date 8-22-77
Published in Idaho News Service
Publication dates 9-14-77
Publication approved 32 Date 9-17-77
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval/denial by 32

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. 91-7031, 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 October 1, 19 82.

c. Other: _____

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

Witness my hand this 7 day of October, 1977.

Deputy Director

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

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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 1st. day of ...September., 19.77 and the last on the 8th. day of ..September., 19.77

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.

.....
Subscribed and sworn to before me this ...9th... day of September, 19.77...

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

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C. STEPHEN ALLRED
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho, on September 1 and September 8, 1977.

No. 4992 — Sept. 1 - Sept. 8

OK
9-12-77 B

2207 Ruger Circle
St. Charles, Missouri 63303
314-946-1671

July 22nd, 1986

RECEIVED
JUL 22 1986

Mr. Tom King
Dept. of Water Resources
Northern Region
4055 Govt. Way
Coeur d'Alene, Idaho, 83814

Department of Water Resources
Northern District Office

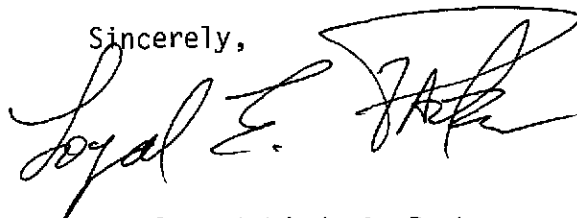
Dear Mr. King,

As per your telephone request I am writing to tell you that Water Right License # 91-7031 in the name of Jack W. Dillard is transfered in use to Loyal Edward & Linda S. Packer as we purchased the property effective August 1984.

We use the property and water on a constant basis, we either rent or maintain residence on a year around basis.

As we now own and are responsible for the property and water usage please forward all communications relating to this Water Right License # 91-7031 to the above address.

Sincerely,



Loyal E. & Linda S. Packer



RECEIVED
JUL 31 1986

MICROFILMED

Department of Water Resources



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 28, 1981

RE: Permit No. 91-7031

Jack W. Dillard
P.O. Box 87
St. Maries, ID 83861

Dear Mr. Dillard:

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
FIELD REPORT
Priority

JUL 29 1981

Department of Water Resources

91-7031

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	2-11-81	JK	245-5070 - NO AFS
	2-20-81	JK	Appt Consultant stuck in mud
☐ Telephone call made:			Wait until drier.
(List Telephone No. used)			
☐ Appointment scheduled for:			
(Date, time, location)			

EXAMINATION

Date 7-15-81 Accompanied by Mrs Shaib Total Q measured -If source is surface water, estimate total flow of source -Methods of measurement Est Meets Permit requirements? yes

Measurement calculations:

One home @ 0.04 & 1.2

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

System Description 4x3' Cistern in stream with gravity flow to home.

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

RECOMMENDED AMOUNTS

USE

Domestic

Irrigation requirement =

AFA/Acre

Q (cfs)

V (afa)

FROM

TO

0.04 ✓1.2 ✓1-112-31

Total

0.04 ✓1.2 ✓

Remarks

MICROFILMED

MAP (Attach Aerial Photo)

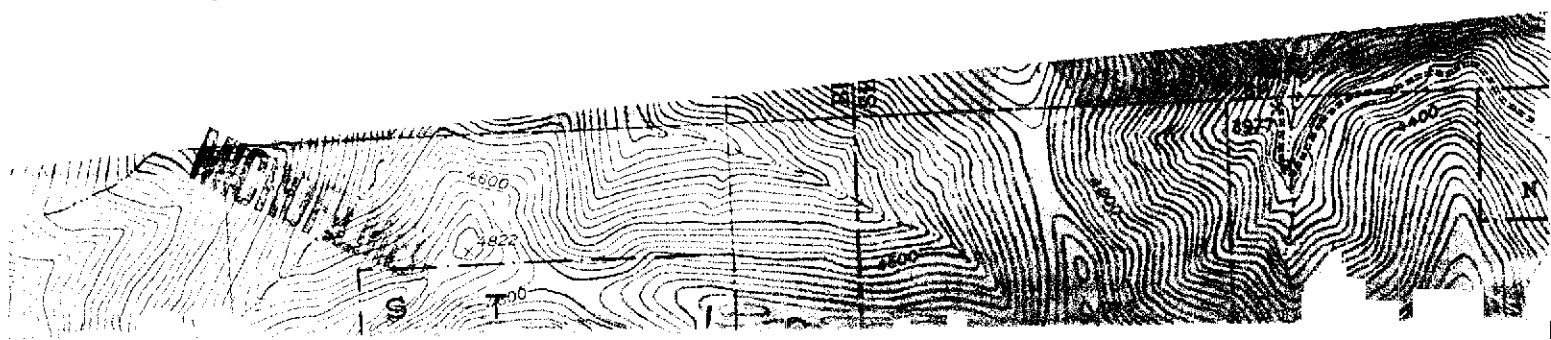


(EMIDA)
2678 II

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1947-1948 and 1954
Field check 1957
Polyconic projection. 1927 North American datum.
10,000-foot grid based on Idaho coordinate system, west zone
1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue
Dashed land lines indicate approximate locations
Unchecked elevations are shown in brown

UTM GRID AND 1957 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225. OR
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE



IDENT. NO. 91-7031

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
D. STEPHEN ALLRED
Director

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

February 10, 1981

Mr. Jack W. Dillard
P. O. Box 87
St. Maries, Id. 83861

RE: 91-7031

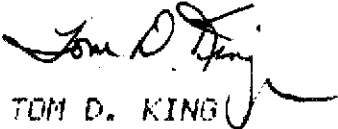
Dear Mr. Dillard:

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

MICROFILMED

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. 9A-7031

Name(s) of Permit Holder: JOCK W. DILLARD

Post Office Address: P.O. Box 87

ST. MARIES, ID. 83861 Tel. No. 245-5070

Source of Water: GRAVITY FEED SYSTEM

Extent of Use: ☒ Domestic (1) HOUSE (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

Don't understand

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.

1-23-81
 Date

Jack W. Dillard
 Signature of Permit Holder

J. DILLARD

P.O. Box 87

ST. MARIES, ID 83861

23 JAN

RECEIVED



JAN 23 1986

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

January 12, 1981

Jack W. Dillard
P. O. Box 87
St. Maries, ID 83861

Dear Mr. Dillard:

Re: Permit No. 91-7031

This office received your letter in which you question what proof is needed to fulfill the licensing requirement.

Enclosed is a statement of beneficial use postcard. If the construction of the domestic use is completed and you are beneficially using the water, simply complete the postcard and return it to this office. At that time, we will notify our regional office and they will conduct a field examination of the system. Based on their recommendations, a water right license will be issued.

Your letter also questioned what could be done to protect your water right from future road construction. This question has been forwarded to Bob Haynes of our Northern Regional office for response. You should be hearing from him shortly.

If I can be of further assistance, please feel free to contact me.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosure

cc: Bob Haynes

MICROFILMED

RECEIVED

JAN 7 1981

Department of Water Resources

Jack W. Hillard
P.O. Box 87
St. Maries, Id.

83861

245-5070

Dept. of Water Resources,

On Sept. 2, 1980 you sent us a letter & our water permit. We do not know what proof you need on page 4, of construction.

We have built a 1700 gallon sistern in the draw & 1" water pipe all the way down to the house under four feet. We did all this by ourselves.

Please let us know what we can do about our water rights, Diamond International is going to build two roads up by our water & probably over our sistern. How can we protect our water rights in this case?

Please contact us soon as possible on these matters. Thank you.

Sincerely,
Mrs. Jack W. Hillard

MICROFILMED

P.O. Box 87
St. Marie, Md. 20686



Department of Water Resources

State Office

450 W. State St.

Frederick, Md. 21720



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

September 2, 1980

Jack W. Dillard
P. O. Box 87
St. Maries, Idaho 83861
Permit #91-7031

Dear Mr. Dillard:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script, reading "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

October 17, 1977

Re: Permit No. 91-7031

Robert F. &/or Shirley L. Scheib
Rt. 3, Box 94
St. Maries, ID

Dear Mr. and Mrs. Scheib:

Enclosed is a copy of your approved Application for Permit No. 91-7031. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

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

August 25, 1977

Re: Application for Permit Nos. 91-7031 - Scheib and 95-7774 - Herr

St. Maries Gazette Record
P.O. Box 367
St. Maries, ID 83861

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Bill reviewed.
9-12-77
JB*

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) HP 8/22/77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) HP 8/22/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) No Guld screw

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) 9-12-77

(12) _____

Final date for protests 9-19-77
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve

☐ Deny

8-19-77 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of
approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 9-19-77

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Notice is hereby given that Robert F &/or Shirley L Scheib
Rt 3 Box 94, St Maries, Id
has on August 19, 1977 submitted Application No. 91-7031
for a permit to appropriate 0.04 cubic feet per second ~~xxxxxx feet per second~~
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to be used from Jan 1 to Dec 31
for domestic purposes

within the NW 1/4 Sec 24, T46N, R1W, B.M.

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C. STEPHEN ALLRED
Director

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