

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 91-7030 Priority June 15, 1977 Amount 0.08 cfs

THIS IS TO CERTIFY, that Fred R. Eveland &/or Bill Macumber
of St. Maries, Idaho, has complied with the terms and conditions of Permit
No. 91-7030 issued pursuant to Application for Permit dated June 15, 1977,
and has submitted proof to the Department of Water Resources on August 19, 1982,
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 an unnamed creek,
tributary to Hells Gulch, 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 (2 Units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.08</u> cfs and	<u>2.4</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.08 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
2.4 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34,
Twp 47N, Rge 2W in the County of Bernewah

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
47N	2W	34																	

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29th day of JUNE, 19 84.

Acting for the Director

Roman C. Young

Identification No. _____

Application No. 91-7030

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 Fred R. Euclid & Bill Macumba Phone: _____
post office address Bx 55 Plummer Panhandle, Ida 83851

2. Source of water supply unnamed Creek which is a tributary of Hells Gulch

3. a. Location of point of diversion is SW 1/4 of SE 1/4 of Section 34 Township 47N
Range 2W B.M. Bernewah County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.60 for Irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.08 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.70 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 50' Dia x 5' deep Sump
adjacent to but not interfering with the creek.
Pump & pipeline to place of use

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: SW 1/4 of SE 1/4 of Section 34 Township 47N
Range 2W B.M. _____

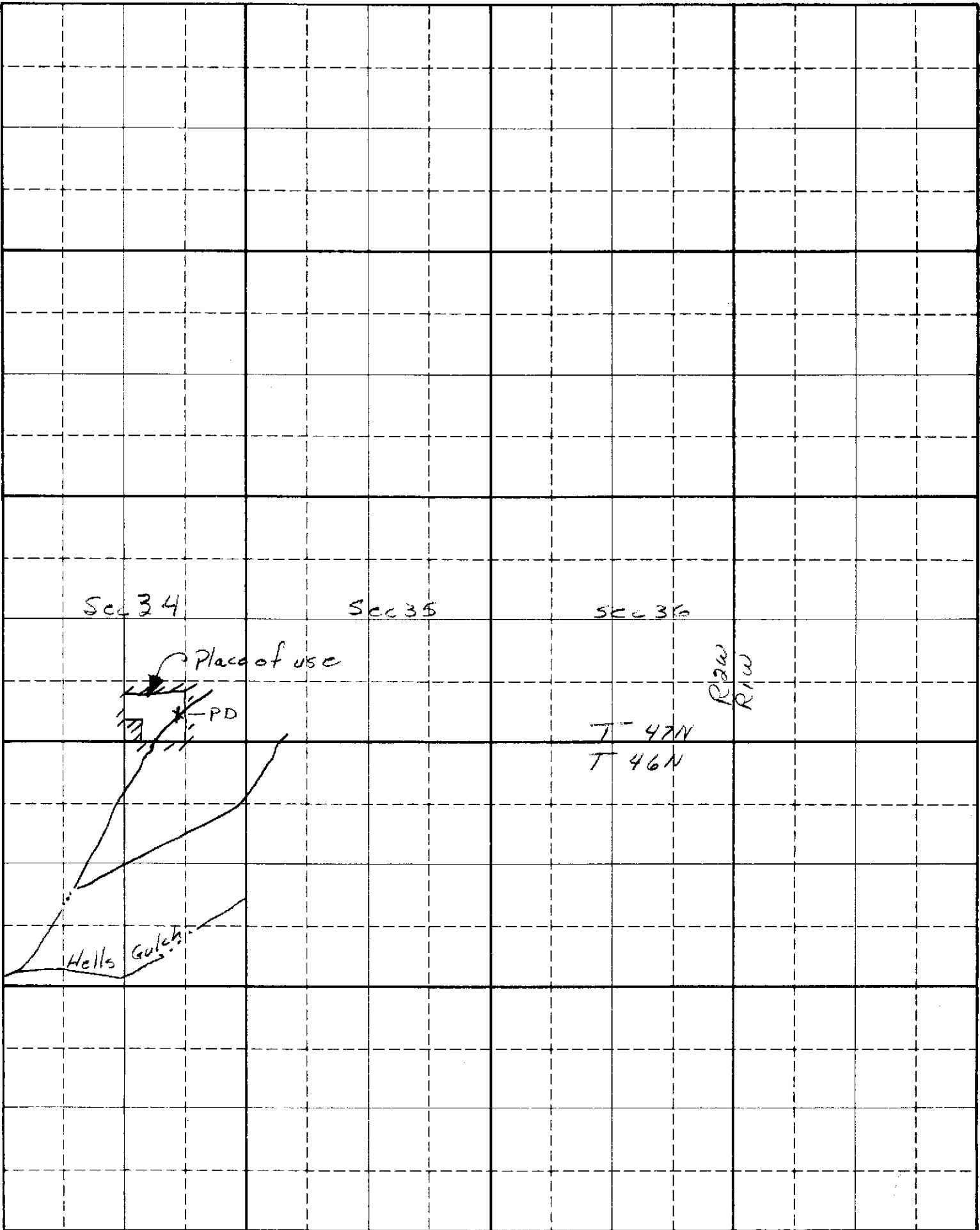
(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered 50 hd

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 2

(5) If water is to be used for other purposes describe: _____

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.

Frederick R. Cleveland
(Applicant)

Proposed priority: June 15, 1977

Received by TK Date 6-15-77 Time 2:00 PM

Preliminary check by TK Fee \$ 25.00

Received by TK Date (55 86)

Publication prepared by B Date 6-15-77

Published in AT Press Release Record

Publication dates 6-23-77 to 7-1-77

Publication approved 500 Date 7-1-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by TK

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. 91-7030 **APPROVED** and said application is hereby _____.

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 September 1, 19 82.

c. Other: _____

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

Witness my hand this 23 day of September, 19 77.

Deputy Director

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 23rd day of June, 1977, and the last on the 30th day of June, 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 1st day of July, 1977...

Orin Logan

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Fred R. Eveland and-or Bill Macumber, Box 55, Plummer, Idaho has on June 15, 1977 submitted Application No. 91-7030 for a permit to appropriate 0.70 cubic feet per second of water from an unnamed creek, tributary to Hells Gulch by means of pump and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T47N, R2W, B.M., Benewah County to be used from Jan. 1 to Dec. 31 for stockwater (0.02 cfs) and domestic purposes for 2 households (0.08 cfs) and from March 15 to Nov. 15 for the irrigation of 30 acres (0.60 cfs) within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T47N, R2W, 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 July 11, 1977.

C. STEPHEN ALLRED
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on June 23 and June 30, 1977.
No. 4890 — June 23 - June 30

OK
JRM
7-1-77

July 17, 1984

RE: Permit No. 91-7030

Fred R. Eveland &/or Bill Macumber
Rt. 2, Box 196V
St. Maries, ID 83851

Gentlemen:

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", with a long horizontal flourish extending to the right.

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



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

June 12, 1984

RE: Permit No. 91-7030

Fred R. Eveland &/or Bill Macumber
Rt. 2, Box 196V
St. Maries, ID 83851

Gentlemen:
A representative of this Department has made an examination of the works covered by your Permit No. 91-7030, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.08 cfs Source: unnamed creek trib to Hells Bulch

The maximum quantity diverted shall not exceed 2.4 acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, Twp 47N, Rge 2W

Beneficial Use: Domestic use for 2 units within SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, Twp 47N,
Rge 2W

Priority date established: June 15, 1977

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

JJ:sc

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

March 1, 1983

Fred Eveland or Bill Macumber
Rt. 2 Box 196 W
St. Maries, ID 83851

RE: 91-7030

Gentlemen:

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. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

DEPARTMENT OF WATER RESOURCES

KK

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has developed development to the extent shown below on permit No. 91-7030.

Name(s) of Permit Holder: FRED R. EVELAND OR BILL MACUMBER

Post Office Address: RT 2 BOX 196 V
ST. MARIES, ID 83851 Tel. No. 245-3644

Source of Water: UNNAMED CREEK

Extent of Use: ☒ Domestic 2 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

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

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

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

8/19/82
Date

Fred R. Eveland
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

R E C E I V E D

AUG 19 1982

Department of Water Resources
Northern District Office

R E C E I V E D

AUG 27 1982



Department of Water Resources

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

MACUMBER, BILL
EVELAND, FRED R.
P.O. BOX 55
PLUMMER, ID 83851

138342

JUNE 30, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 91-7030 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1982. (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.

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

ENC: 1

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 91-7030
OTd No. New No.

Record

1. Original Owner: Fred R. Eveland + Bill Macumber

Present Owner: _____

2. Address: P.O. Box 553. City: Plummer State: Id. Zip: 838514. A. Source of Water: unnamed creekB. Tributary of: Hells Gulch5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-15-1977D. County: 09E. Total Diversion Rate: .7

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>S1/4SE</u>	<u>34</u>	<u>47N</u>	<u>2W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 3-15 to 11-15 for A purposes. Amount .6
(cfs or AG-Ft/yr)from 1-1 to 12-31 for S purposes. Amount .02from 1-1 to 12-31 for D purposes. Amount .08

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

14. Diversion Means (brief narrative):

G. Field Exam Made (P,R,F or blank):

E. Old Number:

D. Hearing Date:

C. Protested Date:

B. Date Permit Approved or Denied: 9-23-1977

13. A. Proof Due Date: 9-1-1982

12. Other Rights for Same Use:

11. Other Uses (Non-irrigation explanatory information):
5/56 head 0/2 home

10. Remarks: A.
B.
C.
D.
E.

B. Decree Date:

9. A. Decree Name:

[illegible]

8. Use code: *H*

6L-4C-4
dyf

September 29, 1977

Re: Permit No. 91-7030

Fred R. Eveland &/or Bill Macumber
Box 55
Plummer, ID 83851

Gentlemen:

Enclosed is a copy of your approved Application for Permit No 91-7030 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

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) JE 6/15/77

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) JE 6/15/77

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) _____

(9) _____

cd Other rights on the same place of use none

(10) _____

Comments: No Suld review

(11) SDW 7-1-77

Affidavit of Publication received(date) 7-1-77

(12) _____

Final date for protests 7-11-77
Protests received: yes _____ no ✓

(13) _____

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

(14) _____

Action recommended:

✓ Approve _____ Deny

_____ 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 7-1-77



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

June 16, 1977

RE: Application No. 91-7030.

St Maries Gazette Record
PO 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:cp

Enc: Legal Notice(s)

Bill Received
7-1-77
OK SDW

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ^{Macumber} Fred R Eveland &/or Bill Macumber

Sen 55, Plummer, Id

has on June 15, 1977 submitted Application No. 91-7030

for a permit to appropriate 0.70 cubic feet per second ~~XXXXXX~~

of water from an unnamed creek, tributary to Halls Gulch

by means of pump & pipeline

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34, T47N, R2W, B.M., Benewah County

to be used from Jan 1 to Dec 31

0.08 cfs)

for stockwater/and domestic purposes for 2 households (0.08 cfs)

and from March 15 to Nov 15 for the irrigation of 30 acres (0.60 cfs)

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34, T47N, R2W, 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 July 11, 1977.

C. STEPHEN ALLRED
Director

Published in the St Maries Gazette Record, St Maries, Id

on June 23 and June 30, 1977

RECEIVED
JUN 27 1977