

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 31st day of May, 1973, and the last on the 7th day of June, 1973.

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 8th day of June, 1973

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

RECEIVED

JUN 8 1973

Department of Water Administration
Northern District Office

NOTICE
OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Michael C. Eckman, Route No. 3, St. Maries, Idaho has on May 21, 1973 submitted Application No. 191-7008 for a permit to appropriate 0.1 cubic feet per second of water from Slaughter House Creek, tributary of St. Joe River by means of pump, motor, and sprinklers within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 46N, R. 1E, B.M., Benewah County to be used from March 15 to Nov. 15 for the irrigation of five acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 46N., R. 1E, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before June 16, 1973.

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on May 30 and June 6, 1973.

No. 2658 —

91 7008



✓

2021

P/H
4-P.D.

2022

SHOSHONE, CO

2021
2029

320

MICROFILMED

R5

NOT TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 91-7008 Priority May 21, 1973 Amount 0.02 cfs

THIS IS TO CERTIFY, that Michael C. Eckman
of St. Maries, Idaho, has complied with the terms and conditions of Permit
No. 91-7008 issued pursuant to Application for Permit dated May 21, 1973,
and has submitted proof to the Department of Water Resources on April 12, 1978,
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 0.02 cfs of water from Slaughter House Creek,
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
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.02</u> cfs and	<u>3.0</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 0.02 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
3.0 acre feet per year, said waters to be diverted within the NE 1/4 NW 1/4 Section 21,
Twp 46N, Rge 1E in the County of Benewah

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	
46N	1E	16											1						1

Total number of acres irrigated 1

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CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25TH day of APRIL, 19 86.

Director Acting for the

Identification No. 91-7008

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)

Michael C. Eckman

1. Name of applicant _____
post office address Rt. #3 St. Maries, Id. p.h.: 245-2796

2. Source of water supply Slaughter House Creek which is a tributary of St. Joe River

3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21 Township 46N
Range 1E B.M. Benewah 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 .1cfs for Irrigation purpose from 3/15 to 11/15 (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. .1 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pump, motor, and sprinklers

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 \$ 150.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

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

91 7008

Total number of acres to be irrigated _____

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

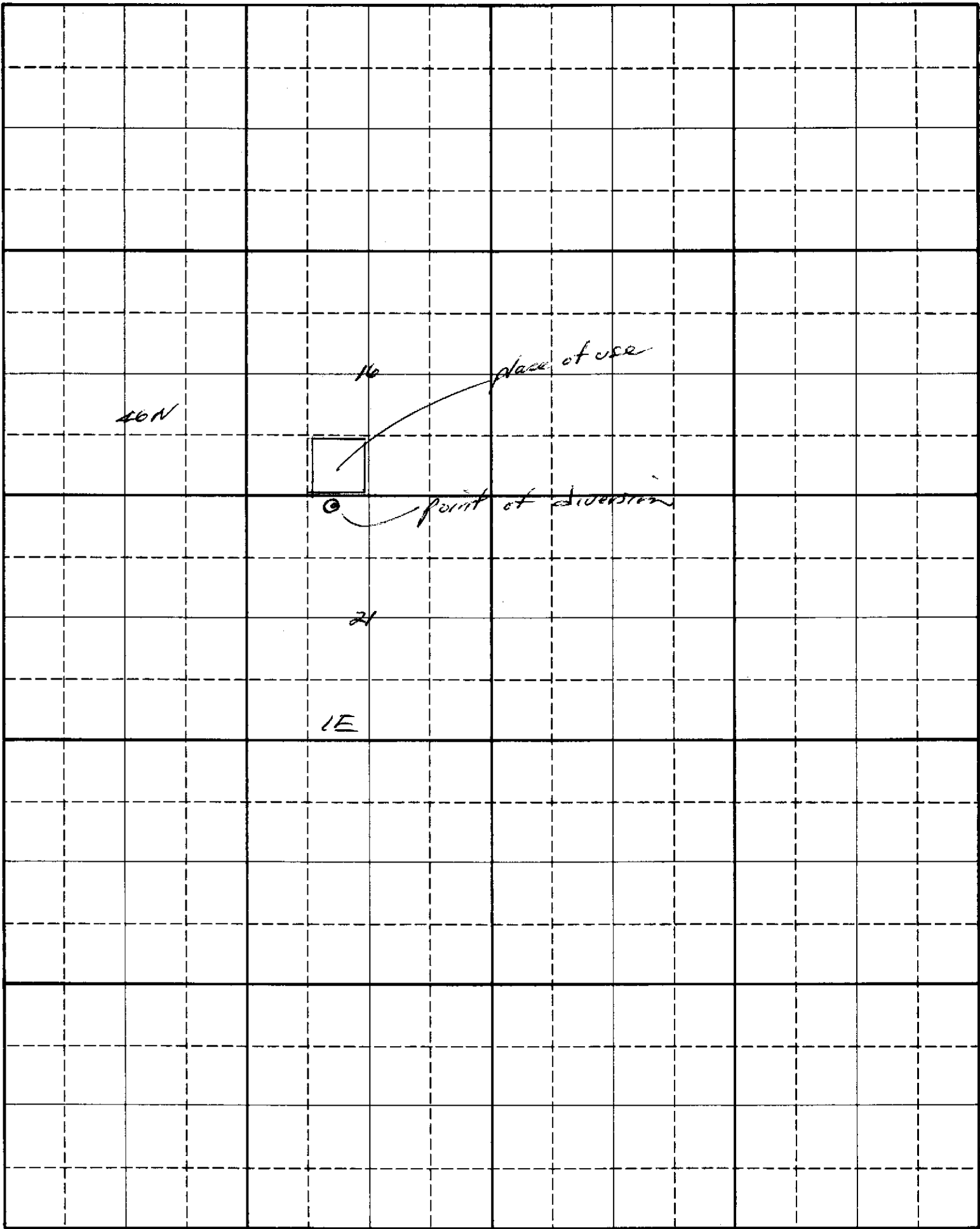
b. Who owns the land to be irrigated or place of use

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 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.

Michael C. Eckman
(Applicant)

91 7008

Proposed Priority 5/21/1973

Received by FB Date 5/21/73 Time 1:30 p.m.

Preliminary check by FB Fee \$ 10.00

Received by FB Date 5/21/73 # 10474

Publication prepared by CR Date 5-25-73

Published in St. Maries Gazette Record

Publication dates 5-30 & 6-6-73

Publication approved CR Date 6-11-73

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by W BDF

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. 91-7008, 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 June 1, 19 78.

c. Other: _____

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

Witness my hand this 26th day of June, 19 73.

[Signature]
Director

91 7008

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.

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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 8th day of June, 1973

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 Michael C. Eckman, Route No. 3, St. Maries, Idaho has on May 21, 1973 submitted Application No. 91-7008 for a permit to appropriate 0.1 cubic feet per second of water from Slaughter House Creek, tributary of St. Joe River by means of pump, motor, and sprinklers within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, T. 46N, R. 1E, B.M., Benewah County to be used from March 15 to Nov. 15 for the irrigation of five acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 46N., R. 1E, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before June 16, 1973.

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on May 30 and June 6, 1973.

No. 2658 —



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

April 28, 1986

RE: Permit No. 91-7008

Michael C. Eckman
Rt. 3, Box 95
St. Maries, ID 83861

Dear Mr. Eckman:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED



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

April 10, 1986

RE: Permit No. 91-7008

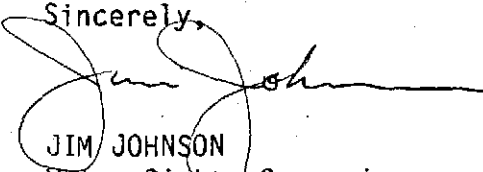
Michael C. Eckman
Rt. 3, Box 95
St. Maries, ID 83861

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

If you do not concur with the information shown on the draft license, please advise the Department within ten (10) days. If you have any questions, please let us know; otherwise, the license will be issued as identified on the draft copy.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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exam was found in file 91-2008 during
proof reading project - pw

are
JK
of
day

Date _____

7-23-81
1/27/81
3-25-86

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Add P.D. as reflected above

☐ Other

☒ None

[illegible]

Place(s) of Use

Point(s) of diversion: NE NW, Sec 21, T46N R1E

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

SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)

RECEIVED

7/11/6
2021

9/11
4-P.D.

11/11/6
2021

2021
2022

SHOSHONE CO

MICROFILMED

R5

NOT TO SCALE

April 19, 1978

Re: Permit No. 91-7008

Michael C. Eckman
Route 3, Box 95
St. Maries, Idaho 83861

Dear Mr. Eckman:

We acknowledge receipt of the affidavit submitted as proof of beneficial 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 cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

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

Sincerely,

JANICE RENK
Water Rights

MICROFILM

RECEIVED

APR 12 1978

Department of Water Resources
Northern District Office

Identification No. _____

Permit No. 91-7008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Michael C. Eekman
b) Post Office Address RT #3 Bx 95 ST. Maries, Idaho 83861
2. Permit Number 91-7008
3. Date of Priority that you are prepared to establish 5/21/73
4. a) Source from which water was appropriated Slaughter House Draw Creek
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21
Township 46 N, Range 1 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.1 C for IRRIGATION purposes from 2-15 to 11-15 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)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 0.1 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: _____

NA

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: _____

NA

b) Describe the agreement or understanding by which you take water from the works: _____

NA

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) 2 HP Single Phase Centrifugal Pump
2" suction 1 1/2" Discharge, runs three sprinklers

b) Describe the type and size of measuring device which you have installed at your point of diversion: None

c) Give well driller's name and address and the date the well was completed: No well

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

None

Examined _____

4/18/78

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

Yard & garden & some pasture around house

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
46N	1E	16															1A		

Total number of acres irrigated 2 or less

10. Remarks: _____

Irreparable for the mo of July & Aug
part of the time as needed

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

4-12-78

(Date)

Michael C. Eckman
M. C. Eckman

(Signature)

State of Idaho)

) ss.

County of Butterfield)

On this 12 day of April, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Alta Butte
Notary Public residing at
Butterfield

My commission expires Sept 1980



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 23, 1978

CERTIFIED MAIL

128541

Re: Permit No. 91-7008

Michael C. Eckman
Route 3
St. Maries, Idaho 83861

Dear Mr. Eckman:

One of the conditions of approval of your water Permit No. 91-7008 (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 June 1, 1978. 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.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

R. Keith Higginson
Director

RECEIVED
FEB 27 1980

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

July 18, 1973

Department of Water Administration

Re: Permit No. 91-7008 - Michael C. Eckman

Bert Werdell
Route #1, Box 407-A
Ocean Park, WA 98640

Dear Mr. Werdell:

Section 42-203 of the Idaho Code, states that any protest filed against the issuing of a permit must be received by our Department not more than ten days after the last date of publication. The last day for receiving protests on the above referenced permit was June 18, 1973.

In our last letter to you, we stated that we could use the date of your letter as the date of protest, but that we could not, according to Section 42-203 of the Idaho Code, accept your reason given as a legal protest. When we did not hear from you concerning this matter, a permit was issued to Mr. Eckman on June 26, 1973.

We do wish to remind you that any permit issued by this Department is subject to all prior water rights. If you have established rights on this creek, then you would have the superior right for that amount of water which you have been using. Whenever the water is low, your rights would be fulfilled first.

We hope this answers any questions you may have had, and if we may be of any further assistance, please contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

RECEIVED

JUL 11 1973

July 4, 1973

JUL 9 1973

Mr R. Keith Heggenson
Idaho Department of Water Administration
Boise, Idaho

Department of Water Administration
Boise, Idaho

Dear Sir:-

I am in receipt of your letter of June 27-73 dealing with water rights permit No 91-7008 filed by M. E. Eckman.

I wish to thank you for enlightening me in regards to the Idaho Constitution, there evidently was no thought given to Ecology at that time.

Now as I definitely wish to establish my prior rights to water in this creek, and there are other considerations to bring out I am requesting you to set a formal hearing on the Eckman application.

Sincerely

Bert Werdell

Rt 1 Box 407A

Ocean Park Wash

98640

RECEIVED

FEB 27 1980

Department of Water Resources

June 29, 1973

File 91-7008

Mr. Bert Wardell
Route 1, Box 407-A
Ocean Park, Washington 98640

Dear Mr. Wardell:

In your letter of June 20, 1973, you refer to Application No. 91-7008 filed by Mr. Eckman to divert water from a small stream.

You should be advised that the water law of the State of Idaho is based upon a provision of our State Constitution, which says that the right to appropriate unappropriated waters of this state shall never be denied. There is no provision for us to deny a permit simply because diversion of water as requested would cause the stream to go dry. I'm therefore wondering if you desire us to consider your application as a protest and wish us to set a formal hearing to consider it.

Very truly yours,

R. KEITH HIGGINSON
Director

REH:mjl

cc: Idaho Department of Water Administration
Northern District Office

91-7008

RECEIVED
JUN 20 1973
Mr. Bert Werdell
Route 1 Box 407-A
Ocean Park,
Washington 98640

June 20, 1973

Mr. Higginson
Idaho Department of Water Administration
Boise, Idaho

Re: Water Rights Application No. 91-7008
Mr. Eckman

Dear Mr. Higginson:

I am in receipt of your letter of June 12th and in reference to Mr. Eckman's above application, I wish to call your attention to the small flow of water at the point in the Creek where Mr. Eckman proposes to install his pump.

This Creek runs through a culvert under the forestry highway and it is very easy to observe or measure the flow of water before it reaches Mr. Eckman's proposed sight of pumping. From my own observations, I am inclined to believe that he is asking for the right to divert more water than actually flows at this point in the Creek during the dry part of the year.

Should this be the case, lack of water would kill off the Eastern Brook Trout which spawn in this particular area, and therefore I feel it would be wise for the Fish and Game Department to check on the water flow during the dry season, before any rights are given to divert the water.

As a point of location, Slaughterhouse Creek flows through my property before it enters Mr. Eckman's land, and the water flow is considerably more where it enters my property. However, there is a considerable loss of water through seepage, and a good deal of this seepage occurs after the Creek enters Mr. Eckman's property, where for about 300 feet the brush has taken over the Creek bed. Consequently the Creek meanders around, and a great deal of the water is lost into the ground, leaving that much less water where he plans to pump.

No
Authority
To Do

Protect
Habitat?

91-7008

Mr. Higginson
Idaho Department of Water Administration
Boise, Idaho
June 20, 1973

page 2

I have asked Mr. Eckman for ten years, to do something about this problem, as it is the only part of the Creek where the bed has been taken over by brush. During the spring runoff the water reaches this obstacle, backs up onto my property and runs over the banks, taking the bank with it.

I do not wish this to sound like a "crank" letter, I simply request that the State of Idaho fully check into the facts before they issue any permits to divert water from Slaughterhouse Creek.

Sincerely, *Bert Werdell*

Bert Werdell
Rt. 1 Box 407-A
Ocean Park, Washington 98640

91-7008

June 28, 1973

Michael C. Eckman
Route #3
St. Maries, Idaho

Dear Sir:

Enclosed is a copy of your approved Application for Permit No. 91-7008 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDP: cd

Enclosure

91 7008

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FE</u>	<u>5/21/73</u>	Application No. <u>91-7008</u> Name <u>Michael C. Eckman</u>
(2)	<u>FE</u>	<u>5/24/73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>FE</u>	<u>5/24/73</u>	In form for advertising <u>O.K.</u>
(6)	<u>CL</u>	<u>6-11-73</u>	Affidavit of Publication received <u>JUNE 9, 1973</u>
(7)	<u>CL</u>	<u>5-25-73</u>	Final date for protests <u>JUNE 16, 1973</u> Protests received: yes <u> </u> no <u> </u>
(8)			Date and Place of hearing <u> </u> Decision reached at hearing <u> </u>
(9)			Located within Water District No. <u> </u>
(10)			Critical groundwater area: yes <u> </u> no <u> </u>
(11)			Groundwater levels: ☐ Decline (comment) <u> </u> ☐ Stable (comment) <u> </u> ☐ Increasing (comment) <u> </u>
(12)			Comments: <u> </u>
(13)	<u>FE</u>	<u>6/12/73</u>	Action recommended: ☒ Approve Priority <u>5/21/73</u> ☐ Deny Reason for Reduction <u> </u> See attached sheet for conditions of approval <u>FE</u> <u>6/12/73</u> No conditions for approval
(14)	<u>FE</u>	<u>6/12/73</u>	District <u>North</u> By <u>Paul Enright</u> Date <u>6/12/73</u> Title <u>Tech III</u>

91 7008

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

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

June 12, 1973

Re: Application for Permit No. 91-7008 - Michael C. Eckman

Bert Werdell
Route #1, Box 407-A
Ocean Park, WA 98640

Dear Mr. Werdell:

We have received your letter of June 11, 1973, stating your concern in our Department issuing a permit to Mr. Eckman to divert water from Slaughterhouse Creek.

We do not know for sure where your point of diversion is located in reference to Mr. Eckman's proposed point. If your point of diversion is below that of Mr. Eckman's and you feel that your rights will be injured, possibly you should file a protest. However, we would like to add that any permit that our Department issues is subject to all prior water rights; therefore, your rights would be superior.

We will accept the date that we received your letter as the date of your protest if you still wish to proceed with a hearing. Please notify our office of your intentions as soon as possible.

If you should have any questions, or if we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

91 7008

RECEIVED

JUN 11 1973

June 8, 1973

Department of Water Administration
Northern District Office

Mr. R. Keith Higgenson
Idaho Department of Water Administration
Boise, Idaho

Dear Sir:

I am writing in regard to an application for water rights No. 91-7008 made by Michael C. Eckman of Saint Maries, Idaho. He proposes to pump 0.1 cubic feet of water per second from Slaughterhouse Creek for irrigation use.

I would like to state that the flow of water is very small in this Creek during the dry part of the year, due to the extensive logging within the past twenty years. This Creek once had a good flow of water and was used as a municipal water supply by the Town of Ferrell during its existence.

The origin of this supply line is on our property in Slaughterhouse draw. I now wish to state that my wife's parents and ourselves have made use of this water for household and livestock purposes since the year 1906 and we believe that we have prior rights to this water from long-time use.

However, I am not against Mr. Eckman receiving water rights, provided it is acknowledged that I have prior rights for at least as much water as Mr. Eckman is asking for, and if the State has no other good reason to deny him these rights.

Should what I have suggested not be possible, then I request that you deny any water rights from this Creek until a hearing is held, which hearing I will attend as soon as I am notified of the date.

At the present time my wife's brother, ^{Walter Scott} whose ranch adjoins ours, is in charge of our ranch while we are on the Washington coast.

Sincerely,

Bert Werdell

Bert Werdell
Route 1 Box 407A
Ocean Park, Washington 98640

91 7008

CERTIFIED

No. 891168

MAIL

**RETURN RECEIPT
REQUESTED**

Mr. R. Keith Higgenson

Idaho Department of Water Administration

~~Post Office Idaho~~

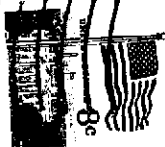
401 Front Ave

Laurel, Idaho

91 7008

JUN 11 1973

83814



St. Maries
GAZETTE RECORD
P.O. Box 367
St. Maries, Idaho 83861

RECEIVED

JUN 8 1973

Department of Water Administration
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
*Northern District Office
401 Front Ave., Rm. 209
Coeur d'Alene, Idaho 83814

6/13/73

RE: Application No. 91-7008 - Michael C. Eckman
(May 31 - June 30, 1973)

15.12

6

"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."

ST. MARIES GAZETTE RECORD

By Ora Lyon

Ora Lyon

91 7008 15.12

May 25, 1973

Re: Application No. 91-7008 - Michael C. Eckman

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

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. 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,

Fred Eisenbarth
Northern District Manager

Bill submitted 6-11-73 by de

FE:CR

Enc: Legal Notice

91 7008

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Michael C. Eckman,

Route #3, St. Maries, Idaho

has on May 21, 1973 submitted Application No. 91-7008

for a permit to appropriate 0.1 cubic feet per second ~~acres feet per annum~~

of water from Slaughter House Creek, tributary of St. Joe River

by means of pump, motor, and sprinklers

within the NE1/4, Sec. 21, T. 46N, R. 1E, B.M., Benewah County

to be used from March 15 to Nov. 15

for the irrigation of five acres

within the SE1/4, Sec. 16, T. 46N, R. 1E, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before June 16, 1973.

R. KEITH HIGGINSON

Director

Published in the St. Maries Gazette Record, St. Maries, Idaho

on May 30 and June 6, 1973

91 7008