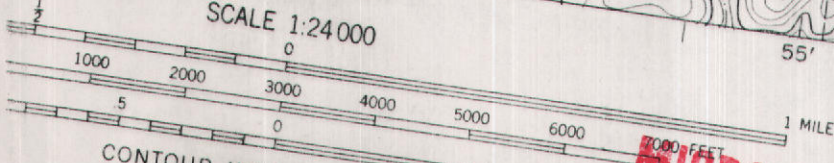


① CHARLES E. GUESS, 8953-1, TAX 3377, 5.0 ac



(MOSCOW EAST)

SCALE 1:24 000



CONTOUR INTERVAL 20 FEET  
DATUM IS MEAN SEA LEVEL

**MICROFILMED**  
**AUG 24 1987**

MOSCOW 5.3 MI.

INTERIOR-GEOLOGICAL SURVEY WASHINGTON  
R. 5 W. R. 4 W. MR 7395

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.  
FOR MORE TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION  
Heavy-duty  
Unimproved dirt  
U. S. Route

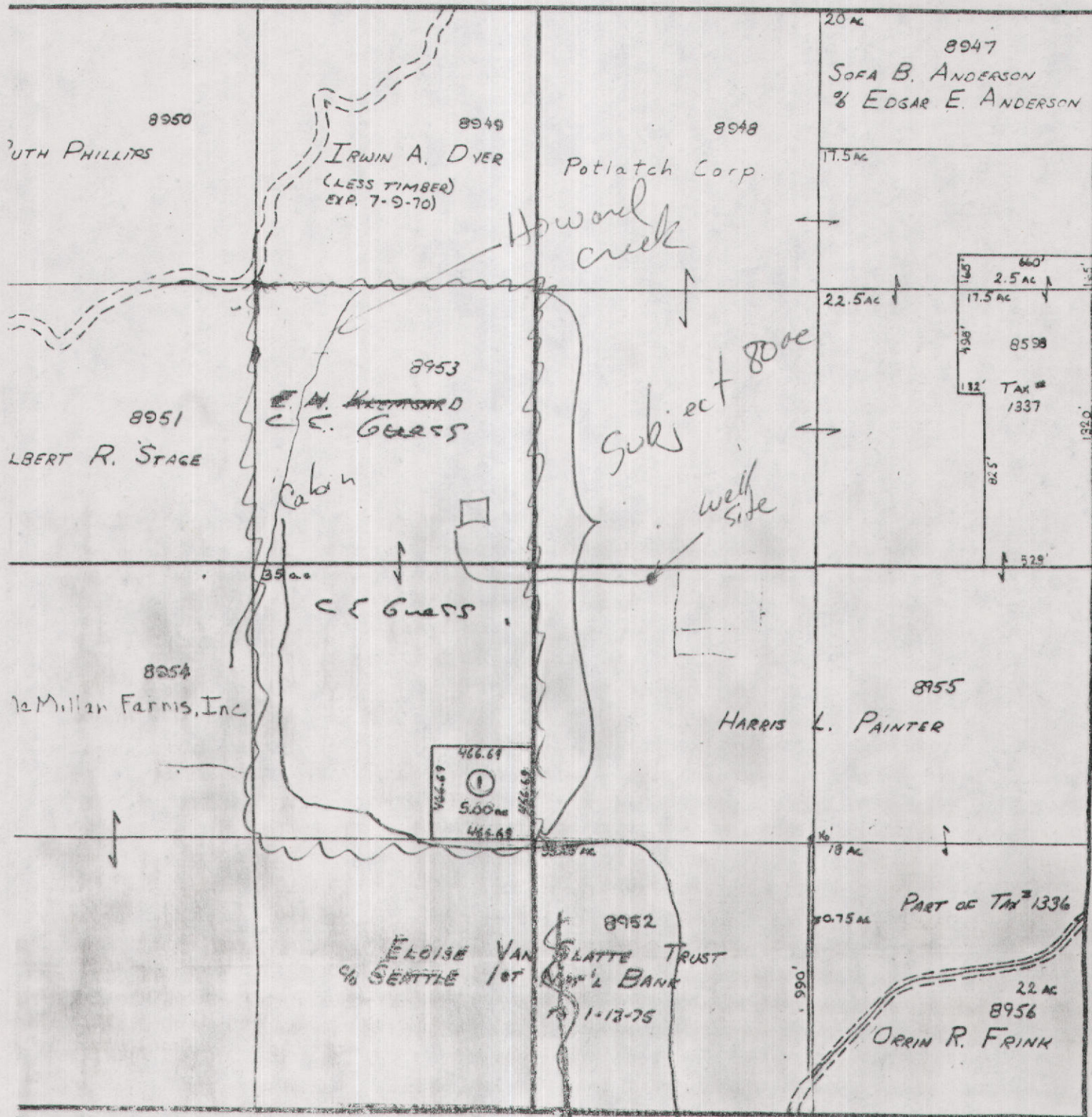
ROBINSON LAKE  
SW 4 POT...

Tom - Hope this Section map will help - Dyer  
to find + water on to a large stock tank  
from Howard creek. Thanks Come

Section 23 Township 40 Range 5

PRINTED, CALDWELL, IDAHO

N



CHARLES E. GUESS, 8952-1, 2nd 8977, 5.00 AC

MICROFILMED

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 87-7086

Priority: February 22, 1983 Amount: .04 CFS 2.4 AFA

This is to certify, that CHARLES E. GUESS  
2440 MOSCOW MOUNTAIN RD.  
MOSCOW, ID 83843

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 22, 1983, and has submitted proof to the Department of Water Resources on June 2, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .06 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Domestic              | 01/01 to 12/31       | .04 cfs                  | 2.4 afa       |

LOCATION OF POINT OF DIVERSION(S): NWSE , Sec. 23, Township 40N, Range 5W  
Latah County

PLACE OF USE: Domestic

TWN RGE SEC

40N 5W 23 NESW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 2 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 17<sup>th</sup> day of July, 1987.

**MICROFILMED**

AUG 24 1987

Acting for the Director

*Norman C. Young*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

**APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Charles E. Guess Phone 208-882-0713

Post office address 2440 Moscow Mtn. Road, Moscow, Id. 83843

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 23 Township 40N

Range 5W B.M. Latah - pms 3/14/83 County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.08 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, with 3HP submersible 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 when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 400 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

→ (1) Give the place of use of water: NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 23 Township 40N  
Range 5W B.M.

(2) Amount of power to be generated: \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered \_\_\_\_\_

(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: \_\_\_\_\_

**MICROFILMED**

**CONFIDENTIAL**

10. Remarks

applicant to make this filing

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

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

9. a. Who owns the property at the point of diversion

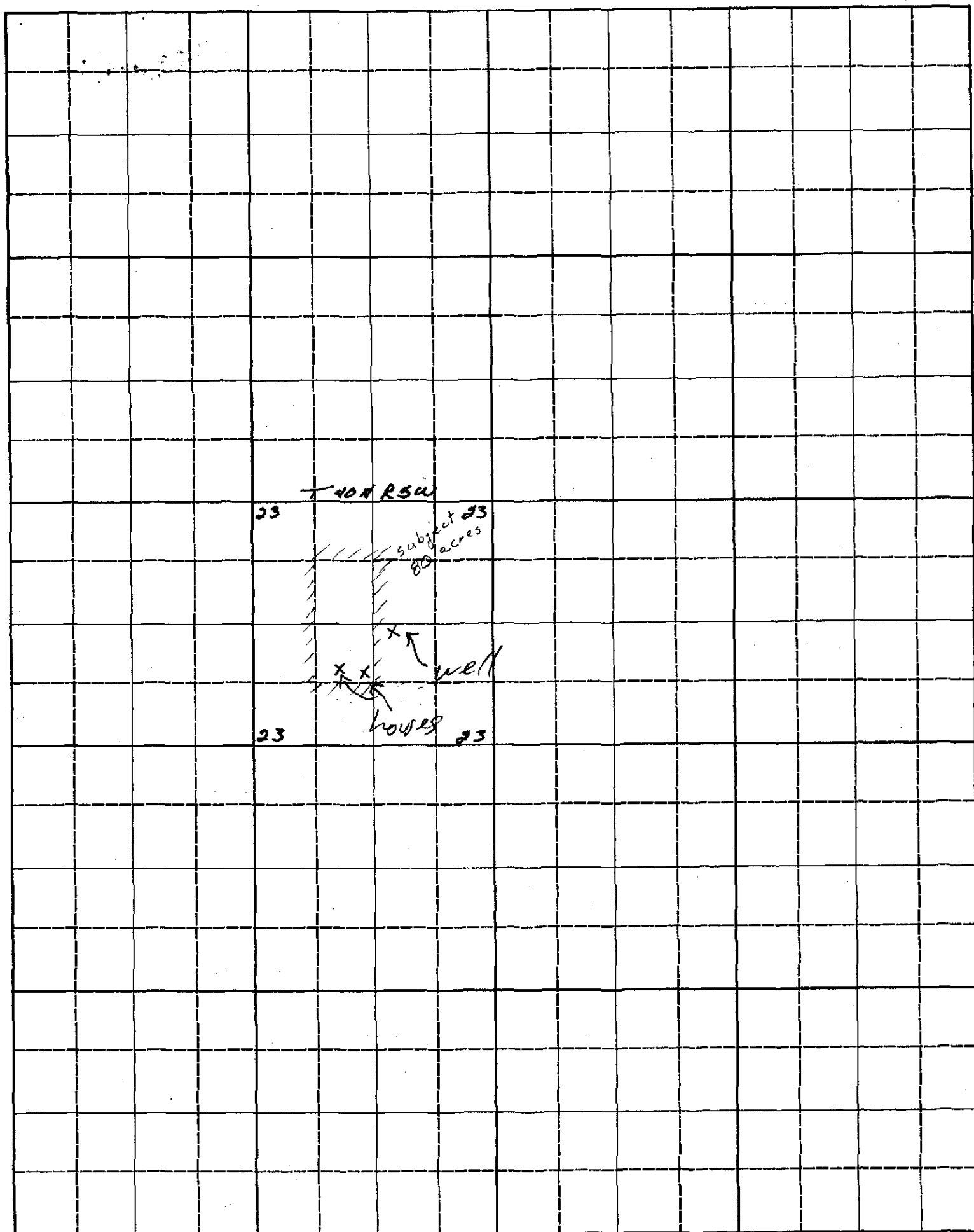
c. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated

[illegible]

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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.

**MICROFILMED**

x Charles Gress MD  
(Applicant)

MICROFILMED

*A. New Stanton*  
Chief, Operations Bureau

Witness my hand this 11<sup>th</sup> day of April, 1983.

d. Other:

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

fore May 1, 19 84.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or be-

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 87-7086, and said application is hereby APPROVED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by MA Date 2/22/83 Time 12:50 PM  
Fee \$ 30%  
Preliminary check by MA Date 3/3/83 (24948)  
Publication prepared by MA Date 3/10/83  
Published in Reg. Bulletin  
Publication dates 3/17-24/83  
Publication approved MA Date 4/8/83  
Protests filed by: None  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by MA



# Affidavit of Publication

STATE OF IDAHO  
County of Latah

ss.

*Ray Rosch*

being first duly sworn, on oath,  
deposes and says:

That he is the printer of The DAILY IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following

dates: *March 17, 24, 1983*

the same being the dates designated for the publication of said legal notice.

*Ray Rosch*

Subscribed and sworn to before

me this *30th* day of *March*

19 *83*

*Carol H. Hennen*

Notary Public,

residing at Moscow, Idaho

In: NWNW NENW Sec 09 T 41N R 03W  
87-7089

OWNBEY, BILLY  
RT. 1 BOX 96, PRINCETON, ID 83857  
Source: HATTER CREEK trib. to  
PALOUSE RIVER  
Date Filed: 03/04/1983  
Diversion Pt. SENW Sec 22 T 41N R 04W  
Use: IRRIGATION (0.20 CFS)  
In: NWNW SWNW NENW Sec 22 T 41N R  
04W FOR 10 ACRES

The permit(s) will be subject to all prior  
water rights. Protests must be filed with  
the Director, Dept. of Water Resources,  
4055 Gov't. Way, Coeur d'Alene, Id. 83814  
on or before APRIL 4, 1983.

KEN DUNN, Dir.

Mar. 17, 24, 1983

Use: DOMESTIC (0.08 CFS)  
In: NESW Sec 23 T 40N R 05W  
87-7087

GUESS, CHARLES E.  
2440 MOSCOW MTN. RD., MOSCOW, ID  
83843  
Source: HOWARD CREEK trib. to SINKS  
Date Filed: 02/14/1983  
Diversion Pt. SENW Sec 23 T 40N R 05W  
Use: STOCKWATER (0.01 CFS)  
In: NESW Sec 23 T 40N R 05W

HOODOO WATER AND SEWER DIST.  
P.O. BOX 7, HARVARD, ID 83834  
Source: GROUNDWATER  
Date Filed: 03/07/1983  
Diversion Pt. SWSW Sec 09 T 41N R 03W  
Use: COMMERCIAL (0.10 CFS);  
DOMESTIC (0.20 CFS)

87-7088

## PUBLIC NOTICES

EXPOSED BY DEPARTMENT OF WATER RESOURCES

### NOTICE OF APPLICATION FOR WATER RIGHTS

The following application(s) have been  
filed to appropriate the public waters of  
the State of Idaho:

87-7086  
GUESS, CHARLES E.  
2440 MOSCOW MTN. RD., MOSCOW, ID  
83843  
Source: GROUNDWATER  
Date Filed: 02/22/1983  
Diversion Pt. NWSE Sec 23 T 40N 40N R  
05W

RECEIVED

APR 4 1983

Department of Water Resources  
Northern District Office

MICROFILMED

July 20, 1987

CHARLES E. GUESS  
2440 MOSCOW MOUNTAIN RD.  
MOSCOW, ID 83843

RE: Permit No. 87-7086

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

AUG 24 1988

June 23, 1987

CHARLES E. GUESS  
2440 MOSCOW MOUNTAIN RD.  
MOSCOW, ID 83843

RE: Permit No. 87-7086

Dear Permit Holder(s):

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

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

AUG 24 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**LICENSING REPORT**

10 DAY

87-7086

Permit No.

**1. Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

*Exam. Est. CAP AS 0.06 cfs*

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

- c) Volume Calculations for Other Uses:

*(2) 1.2 = 2.4 AFA*

**2. Overlap Review**

- a) Other water rights with same place of use: \_\_\_\_\_

- b) Other water rights with same point of diversion: \_\_\_\_\_

- c) Analysis:

**MICROFILMED**

AUG 24 1987

OK G.S. 6/15/87

| 4. Permit Holder: | Address:                                     | 5. Source:  | 6. Beneficial Use | Period of Use | Rate of Diversion | Annual Volume | Allowable Maximums: |
|-------------------|----------------------------------------------|-------------|-------------------|---------------|-------------------|---------------|---------------------|
|                   |                                              |             |                   | From To       | Q (cfs)           | V (afa)       |                     |
| CHARLES E. GUESS  | 2440 MOSCOW MOUNTAIN RD. - MOSCOW, ID. 83843 | GROUNDWATER |                   | 1-1 12-31     | 0.04              | 2.4           | 0.04 2.4            |
|                   |                                              |             |                   |               |                   |               |                     |
|                   |                                              |             |                   |               |                   |               |                     |
|                   |                                              |             |                   |               |                   |               |                     |

[illegible]

9. Recommended Conditions/Remarks: o/a

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Date \_\_\_\_\_

11. Examiner's Signature \_\_\_\_\_

RECEIVED  
AUG 24 1987

AUG 24 1987

19 MAY 87

Rev. Mr. H. H. H.



A hand-drawn map on a grid. The coastline is on the left. 'T40N' is marked on the coastline. To the right, 'R5W' is marked. Further right, '23' is written above 'Pd', with 'x P/U' written below '23'.

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

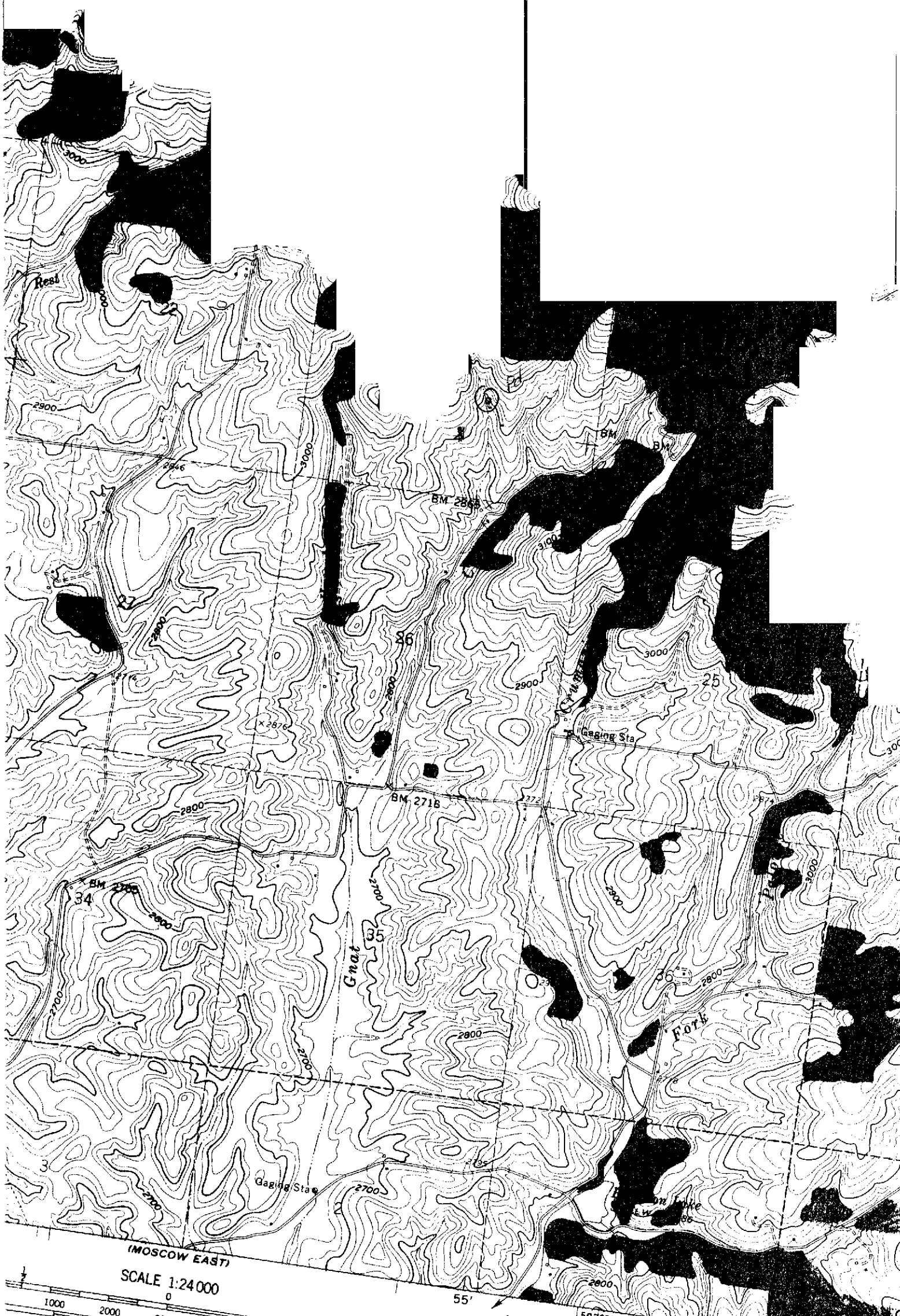
### Place(s) of Use

[illegible]

~~AUG 24 1981~~

☐ Other

Date 12/10/20



SCALE 1:24 000  
1000 2000 3000 4000 5000 6000  
1 KILO 1 MILE  
CONTOUR INTERVAL 20 FEET  
DATUM IS MEAN SEA LEVEL

**MICROFILMED**  
AUG 24 1987

507000m. E.  
MOSCOW 5.3 MI.

INTERIOR-GEOLOGICAL SURVEY, WASHINGTON  
R. 5 W. R. 4 W. MR 7395

P COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS.  
GICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON 25, D. C.  
ING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



ROAD CLASSIFICATION  
Heavy-duty  
Light-duty  
Unimproved dirt  
U. S. Route

ROBINSON L.  
SW. 4

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

SEPTEMBER 6, 1983

CHARLES GUESS  
2440 MOSCOW MOUNTAIN RD.  
MOSCOW ID 83843

RE: Permit No. 87-7086

Dear Permit Holder:

We acknowledge receipt of your statement 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.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/  
TOM D. KING  
Senior Water Resource Agent

cc: IDWR - State Office

**MICROFILMED**  
AUG 24 1987

# 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. 87-7086.

Name(s) of Permit Holder: Charles E. Guess

Post Office Address: 2440 Moscow Mountain Rd.

Moscow, Idaho 83843 Tel. No. 882-0713

Source of Water: Ground water

Ex. 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.

5-30-83  
 Date

Charles E. Guess  
 Signature of Permit Holder



S. P. PLACE  
13 CENT  
STAMP  
HERE

P. METER  
1333127



RECEIVED  
JUN 2 1983

MICROFILMED

DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

GUESS, CHARLES E.  
2440 MOSCOW MTN. RD.  
MOSCOW, ID 83843

MAY 10, 1983

RE: PERMIT NO. 87-7086

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 87-7086

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No  
☐ Yes ☒ No  
☒ Yes ☒ No  
☒ Yes ☐ No\*

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_

In form to receipt.

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SEND COPIES TO:

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

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PROCESSING:

- ☐ Yes ☐ No  
☐ Yes ☐ No  
☒ Yes ☐ No\*  
☐ Yes ☒ No

Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_

Other rights on same place of use. \_\_\_\_\_

In form for advertising.

Final date for protests: 4/4/83

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/4/83  
☒ 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  
☐ Yes ☒ No  
☐ Yes ☒ No  
2/22/83 Date of priority recommended.  
☒ Special conditions of approval or cover letter. \_\_\_\_\_

Measuring device required.

Access port required.

Will water be delivered by watermaster? If yes, what district? \_\_\_\_\_

By: RJA

Date: 4/11/83

STATE OFFICE REVIEW:

5/1/83

- ☐ See attached sheet for more information.

By: RJA

Date: 4/18/83

RECEIVED

APR 15 1983

Department of Water Resources

MICKEL

POINT OF DIVERSION AND STREAM INDEX INFORMATION

| TRACT | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------|-----|-----|-----|--------------|---------------|-------|
|-------|-----|-----|-----|--------------|---------------|-------|

IDAHO STREAM CODE INDEX

| TRACT | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------|-----|-----|-----|--------------|---------------|-------|
|-------|-----|-----|-----|--------------|---------------|-------|

IDAHO STREAM CODE INDEX

| TRACT | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------|-----|-----|-----|--------------|---------------|-------|
|-------|-----|-----|-----|--------------|---------------|-------|

IDAHO STREAM CODE INDEX

| TRACT | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------|-----|-----|-----|--------------|---------------|-------|
|-------|-----|-----|-----|--------------|---------------|-------|

IDAHO STREAM CODE INDEX

| TRACT | SEC | TWP | RGE | gov't<br>lot | rediv.<br>(R) | REACH |
|-------|-----|-----|-----|--------------|---------------|-------|
|-------|-----|-----|-----|--------------|---------------|-------|

IDAHO STREAM CODE INDEX

GUESS, CHARLES E.

2440 MOSCOW MTN. RD., MOSCOW, ID 83843

Source: GROUNDWATER

Date Filed: 02/22/1983

Diversion Pt: NWSE Sec 23 T 40N R 05W

Use: DOMESTIC (0.08 CFS)

In: NESW Sec 23 T 40N R 05W

MICROFILMED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
~~Executive Director~~  
Director

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

February 25, 1983

RECEIVED

MAR 3 1983

Department of Water Resources  
Northern District Office

Dr. Charles E. Guess  
2440 Moscow Mt. Rd.  
Moscow, Id. 83843

Dear Dr. Guess:

There still appears to be some inconsistencies in the applications you have filed and the claim should not be filed, if you file the groundwater application.

From the map on the application for stock water from Howard Creek, it appears that the point of diversion (PD) is within the SENW, Sec. 23 and the place of use (PU) is within the NESW, Sec. 23. I have changed Item No. 8a1 to reflect this. I have been unable to determine the location of the homes on the ground water application, since they could be in either the SENW, NESW or both. Please show and label the homes on the section map and I will be please to complete Item Nos. 8a1 and 11 for you.

I am returning your claim for your records, if you wish to keep it, your applications with the \$60.00 check (98-615) and section map to allow you to check my changes and add the necessary information.

If you need any assistance, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enc. - Claim  
2 Applications  
Check

MICROFILMED

Mr. King,  
I was not quite sure  
of what you were asking  
for, so I placed the homes  
on the map that I thought  
was right.

Please try to process these  
applications as soon as  
possible.

Thank you,  
Michelle D. Guess

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Charles E. Guess Phone 208-882-0713  
 Post office address 2440 Moscow Mountain Road Moscow, Idaho  
 2. Source of water supply Howard Creek which is a tributary of None  
 3. Location of point of diversion is SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 23 Township 40 N  
 Range 5 W B.M. Lafayette County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .01 cfs for Diversions for Stock tanks purposes from April to Sept (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .01 cfs cubic feet per second and/or b. 0.5 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Gravity flow of water from Howard Creek via buried pvc pipe for distance of approximately 1500 feet into Stock Tanks (500 Gal)  
 b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_  
 Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
 (Month/Day) (Month/Day)  
 c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:  
 (1) Give the place of use of water: NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 23 Township 40 N  
 Range 5W B.M.  
 (2) Amount of power to be generated: None horsepower under \_\_\_\_\_ feet of head.  
 (3) List number of each kind of livestock to be watered 10 ELK, 6 white-tail Deer  
40 sheep, 12 horses, 32 cattle  
 (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: \_\_\_\_\_

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated None

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 1.

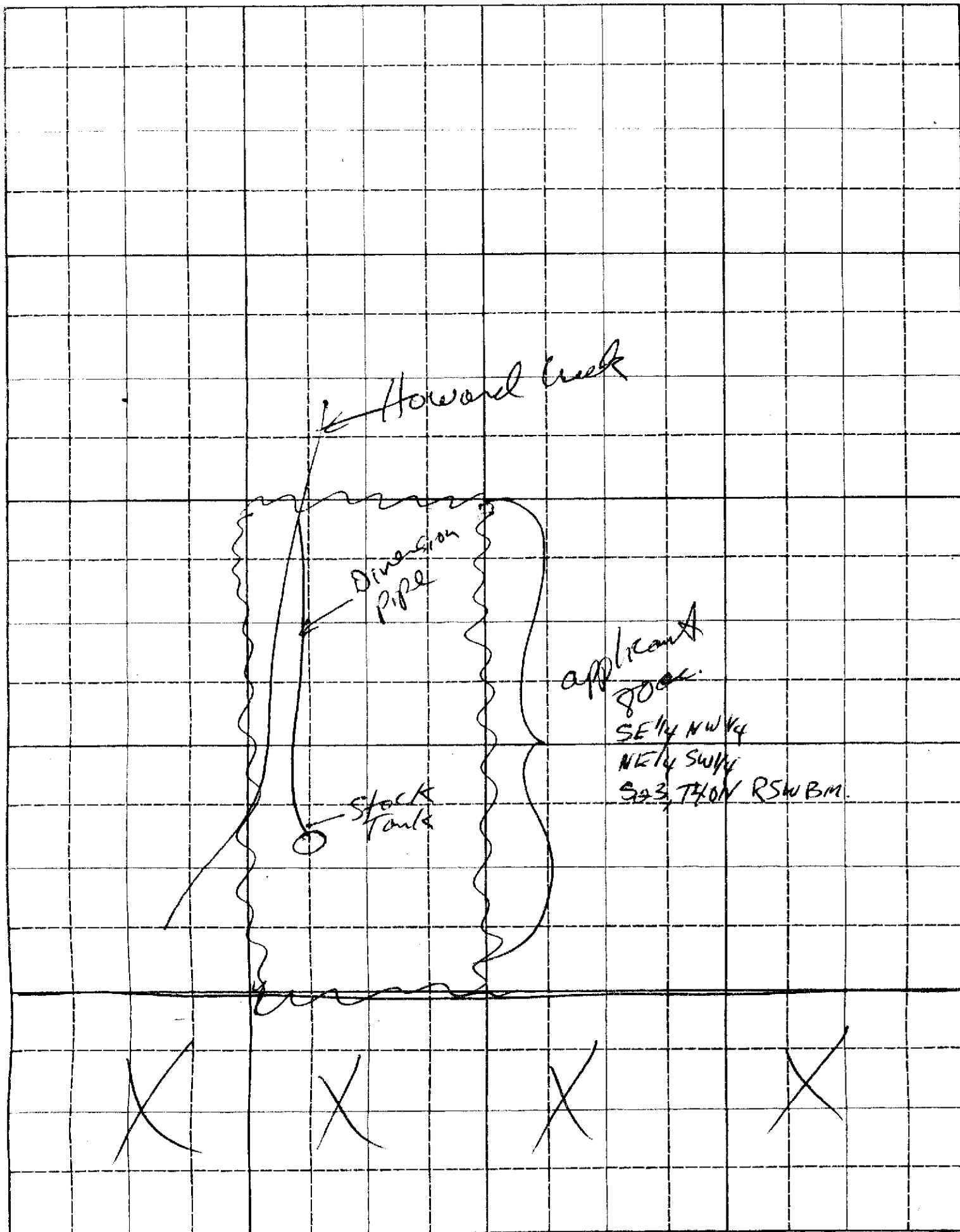
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing —

10. Remarks

MICROFILMED

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

Sec 23 Twp 40 R 5



Scale: 2 inches equal ~~1/4~~ 1/4 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.

**MICROFILMED**

Charles F. Jones  
(Applicant)

Received by pwf Date 2/22/83 Time 12:50 PM  
Preliminary check by JK Fee \$ 30.00  
Receipted by \_\_\_\_\_ Date \_\_\_\_\_  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_  
Published in \_\_\_\_\_  
Publication dates \_\_\_\_\_  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_  
Protests filed by: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by \_\_\_\_\_

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

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that CHARLES E. GUESS

(Name of Claimant)

2440 MOSCOW MOUNTAIN ROAD MOSCOW, IDAHO 83843  
(Mailing Address) (Zip Code)

Telephone No. 208-882-0713

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) JULY 1979

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

GROUND WATER tributary to \_\_\_\_\_

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

|            | (cfs, af)          | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)              |                    |
|------------|--------------------|-------------------------------------|-------------------------------------|--------------------|
|            |                    |                                     | (Mo., Day)                          | (Mo., Day)         |
| → Quantity | <u>.04 CFS X 2</u> | Use <u>DOMESTIC - 2 FAMILY</u>      | Period of Use From <u>JULY 1979</u> | To <u>PRESENT</u>  |
| Quantity   |                    | Use                                 | Period of Use From <u>1-1</u>       | To <u>12-31-86</u> |
| Quantity   |                    | Use                                 | Period of Use From                  | To                 |
| Quantity   |                    | Use                                 | Period of Use From                  | To                 |
| Quantity   |                    | Use                                 | Period of Use From                  | To                 |

- (4) .08 CFS TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 SE 1/4, Sec. 23 Twp. 40 Rge. 5 B.M., County of LATAH

Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. WELL - 3 HP PUMP / 12 GPM. - 400 FOOT WELL DEPTH - 1 1/4 PIPE IN

WELL - 700 FOOT BURIED PVC PIPE FROM WELL TO HOUSEHOLDS

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T  | R | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|----|---|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|    |   |      | 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 |       |
| 40 | 5 | 23   |        |        |        |        |        |        |        |        | X      |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|    |   |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres \_\_\_\_\_

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

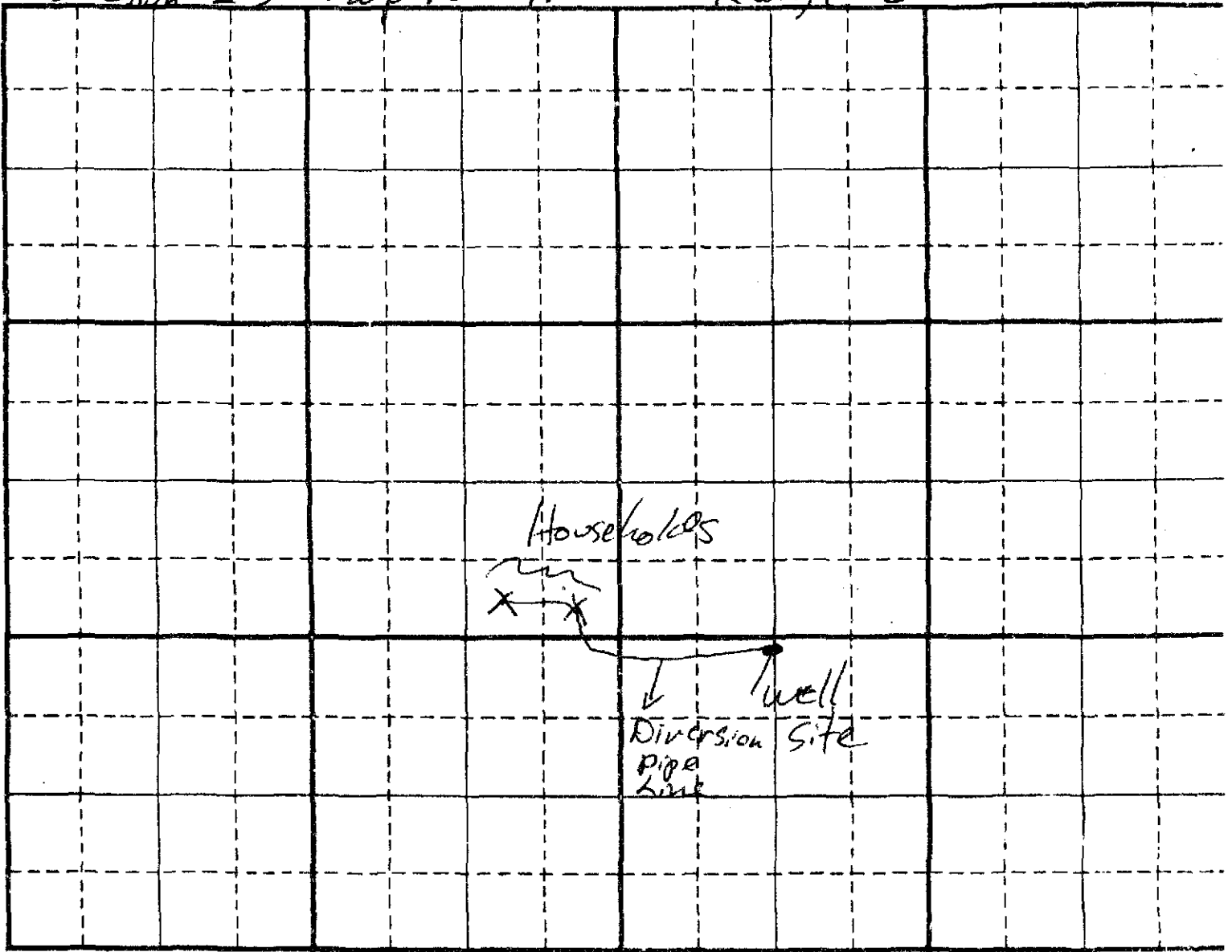
WATER SERVICES TO 2 FAMILY HOUSEHOLDS FOR USUAL DOMESTIC / INDOOR USE  
AND OUTSIDE USE FOR GARDENS, LAWN ETC.

NOTE: Include here the type and number of stock watered: \_\_\_\_\_

- (7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

(8) Remarks

Section 23 Twp 40 N Range 5



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Whitman ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

X Charles Jones  
(Claimant)

Sworn to before me this 11<sup>th</sup> day of February, 1983

Darlene H. Binkley  
Notary Public  
Residing at Rt 2 - Berkeley  
Bullington WA 9916

My commission expires 9-4-84

**MICROFILMED**

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 2/14/84 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by \_\_\_\_\_ Date \_\_\_\_\_  
\$30.00 fee received by \_\_\_\_\_ Date \_\_\_\_\_  
Published in \_\_\_\_\_

RECORDED AT THE PROCEEDING OF  
OFFICE OF RECORDS

RECORDED AT THE REQUEST OF:

JAMES S. BLACK, JR.  
Attorney at Law  
LUKINS & ANNIS, P.S.  
1600 Washington Trust Financial Center  
Spokane, Washington 99204  
Telephone: (509) 455-9555

QUIT CLAIM DEED

The Grantor, the ELOISE VAN SLATTE TRUST, by Seattle First National Bank and William Wright, as Co-Trustees, for and in consideration of One Dollar (\$1.00) and other valuable consideration, conveys and quit claims to CHARLES E. GUESS the following described real estate, situated in the County of Latah, State of Idaho, together with all after-acquired title of the Grantor therein:

A domestic well located approximately 660 feet  
East of the Northwest corner of the Southwest  
Quarter of the Southeast Quarter of Section 23,  
Township 40 North, Range 5 West, B.M.

November  
DATED this 2nd day of ~~October~~, 1982.

ELOISE VAN SLATTE TRUST

By: SEATTLE FIRST NATIONAL BANK,  
Co-Trustee

By: Eddie Cassens - Vice President  
Name: John E. Sharp  
Title: AVP, Farm Manager

By: William Wright  
WILLIAM WRIGHT, Co-Trustee

STATE OF WASHINGTON )  
: ss  
County of Spokane )

On this day personally appeared before me WILLIAM WRIGHT and Eddie Cassens & John E. Sharp the Vice President & AVP, Farm Manager of SEATTLE FIRST NATIONAL BANK, to me known to be the Co-Trustees of the ELOISE VAN SLATTE TRUST, which executed the within and foregoing instrument, and acknowledged to me that said instrument was the free and voluntary act and deed of said trust, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 2nd day of ~~October~~ November, 1982.

Lois D. Cook  
Notary Public in and for the State  
of Washington, residing at Spokane

RECORDED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

A. C. Kenneth Dunn  
Director

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

February 15, 1983

Mr. Charles E. Guess  
2440 Moscow Mtn. Road  
Moscow, Id. 83843

Dear Mr. Guess:

I regret to inform you that there are still a few discrepancies on your filings, so I am returning your Claim to a Water Right, your Application for Permit and your Check No. 98-615 in the amount of \$60.00. The filing of a claim on two single family domestic units with a 1979 priority date is at best shaky and can only be done if the well was originally intended to supply only one home. In view of this, I would advise that you instead file the enclosed Application for Permit which I have taken the liberty of preparing. If the map on this application is correct, please complete it in ink and sign the application.

I have taken the liberty of completing the legal description in Item No. 8a1 on your original application. Please check this item for accuracy and return the applications and fee to this Department.

If you need any assistance, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enc. - Applications (2)  
Claim  
Check

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Charles E. Guess Phone 208-882-0713  
Post office address 2440 Mescon Mtn. Road, Mescon, Id. 83843  
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_  
3. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 23 Township 40N  
Range 5W B.M. \_\_\_\_\_ County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.08 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, with 3HP submersible 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 when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 400 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

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: \_\_\_\_\_ horsepower 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: \_\_\_\_\_

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\_\_\_\_\_

[illegible]

**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 *App 1*

Apr 1

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

Appl.

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

**MICROFILMED**

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

Scale: 2 inch = 1 mile

BEFORE the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

**UNRECORDED**

X

(Applicant)

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Preliminary check by \_\_\_\_\_ Fee \$ \_\_\_\_\_

Receipted by \_\_\_\_\_ Date \_\_\_\_\_

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

Protests filed by: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by \_\_\_\_\_

---

#### 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. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

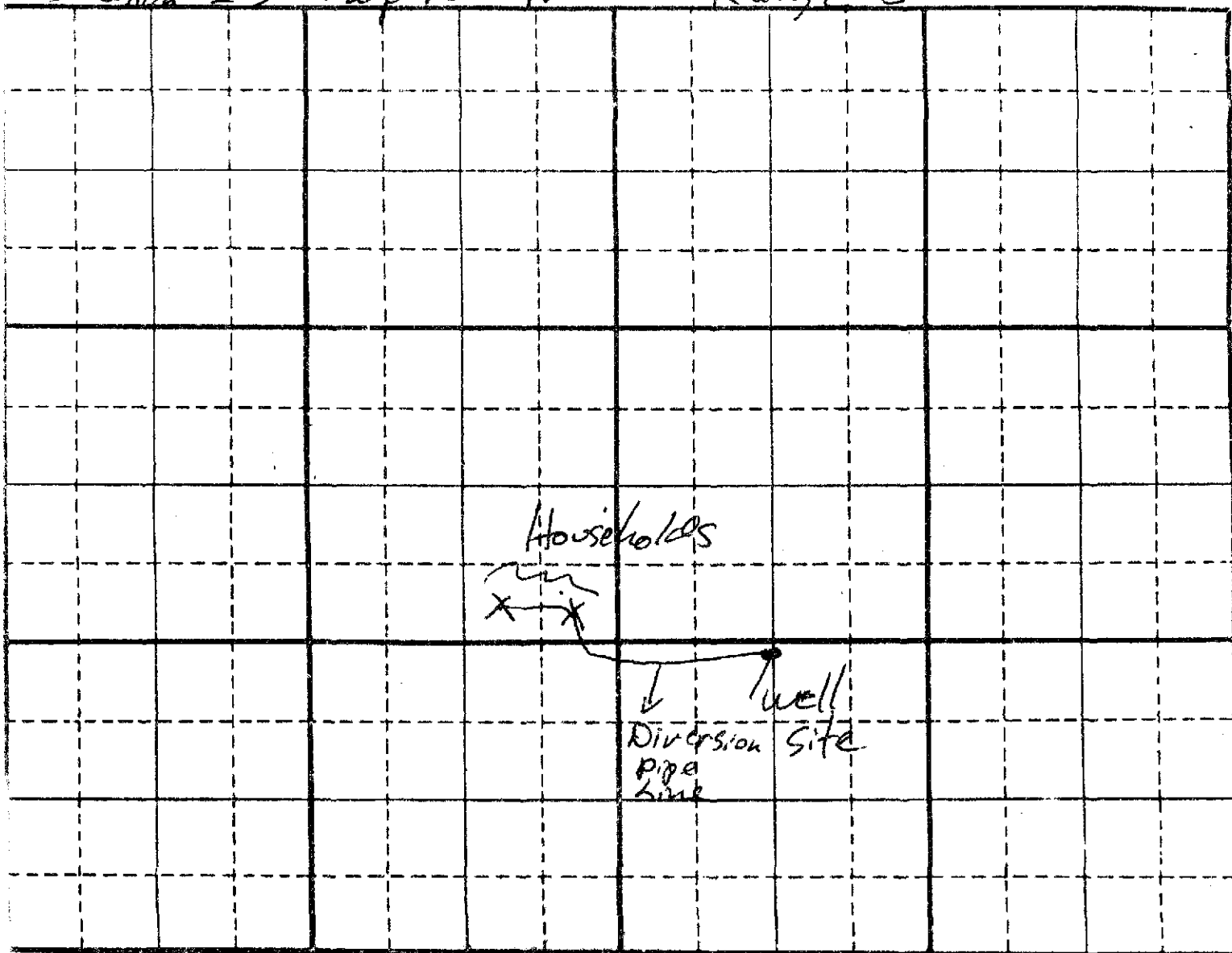
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

**MICROFILMED**



(8) Remarks

Section 23 Twp 40 N Range 5



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Washington  
County of Whitman

Be it known that the undersigned, being duly sworn, deposes and says that he/she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

X Charles E. Press  
(Claimant)

Sworn to before me this 11 day of February, 1983

Darlene H. Burt  
Notary Public  
Residing at RT 2 - Box 601  
Pullman WA 99163

My commission expires 9-4-84

FOR DEPARTMENT USE ONLY  
Received by [Signature] Date 2/10/83  
Check by [Signature] Date [Signature]  
\$300 fee received by [Signature] Date [Signature]  
Published [Signature] Date [Signature]  
Exception filed by: \_\_\_\_\_ Forwarded to claimant by: \_\_\_\_\_ Date \_\_\_\_\_

RECORDED AT THE REQUEST OF

RECORDED AT THE REQUEST OF:

JAMES S. BLACK, JR.  
Attorney at Law  
LUKINS & ANNIS, P.S.  
1600 Washington Trust Financial Center  
Spokane, Washington 99204  
Telephone: (509) 455-9555

QUIT CLAIM DEED

The Grantor, the ELOISE VAN SLATTE TRUST, by Seattle First National Bank and William Wright, as Co-Trustees, for and in consideration of One Dollar (\$1.00) and other valuable consideration, conveys and quit claims to CHARLES E. GUESS the following described real estate, situated in the County of Latah, State of Idaho, together with all after-acquired title of the Grantor therein:

A domestic well located approximately 660 feet  
East of the Northwest corner of the Southwest  
Quarter of the Southeast Quarter of Section 23,  
Township 40 North, Range 5 West, B.M.

November  
DATED this 2nd day of ~~October~~, 1982.

ELOISE VAN SLATTE TRUST

By: SEATTLE FIRST NATIONAL BANK,  
Co-Trustee

By: Eddie Cassens - Vice President  
Name: John E. Sharp  
Title: AVP, Farm Manager

By: William Wright  
WILLIAM WRIGHT, Co-Trustee

STATE OF WASHINGTON )

County of Spokane )

On this day personally appeared before me WILLIAM WRIGHT and Eddie Cassens & John E. Sharp, the Vice President & Farm Manager, SEATTLE FIRST NATIONAL BANK, to me known to be the Co-Trustees of the ELOISE VAN SLATTE TRUST, which executed the within and foregoing instrument, and acknowledged to me that said instrument was the free and voluntary act and deed of said trust, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 2nd day of ~~October~~ November, 1982.

Louis D. Clark  
Notary Public in and for the State  
of Washington, residing at Spokane

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Charles E. Guess Phone 208-882-0713  
Post office address 2440 Masson Mtn. Road, Moscon, Id. 83843  
2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_  
3. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 23 Township 40N  
Range 5W B.M. \_\_\_\_\_ County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.08 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well, with 3HP submersible 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 when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 400 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

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: \_\_\_\_\_ horsepower 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 2

Water is to be used for other purposes describe: \_\_\_\_\_

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
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|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
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|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

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 Appl

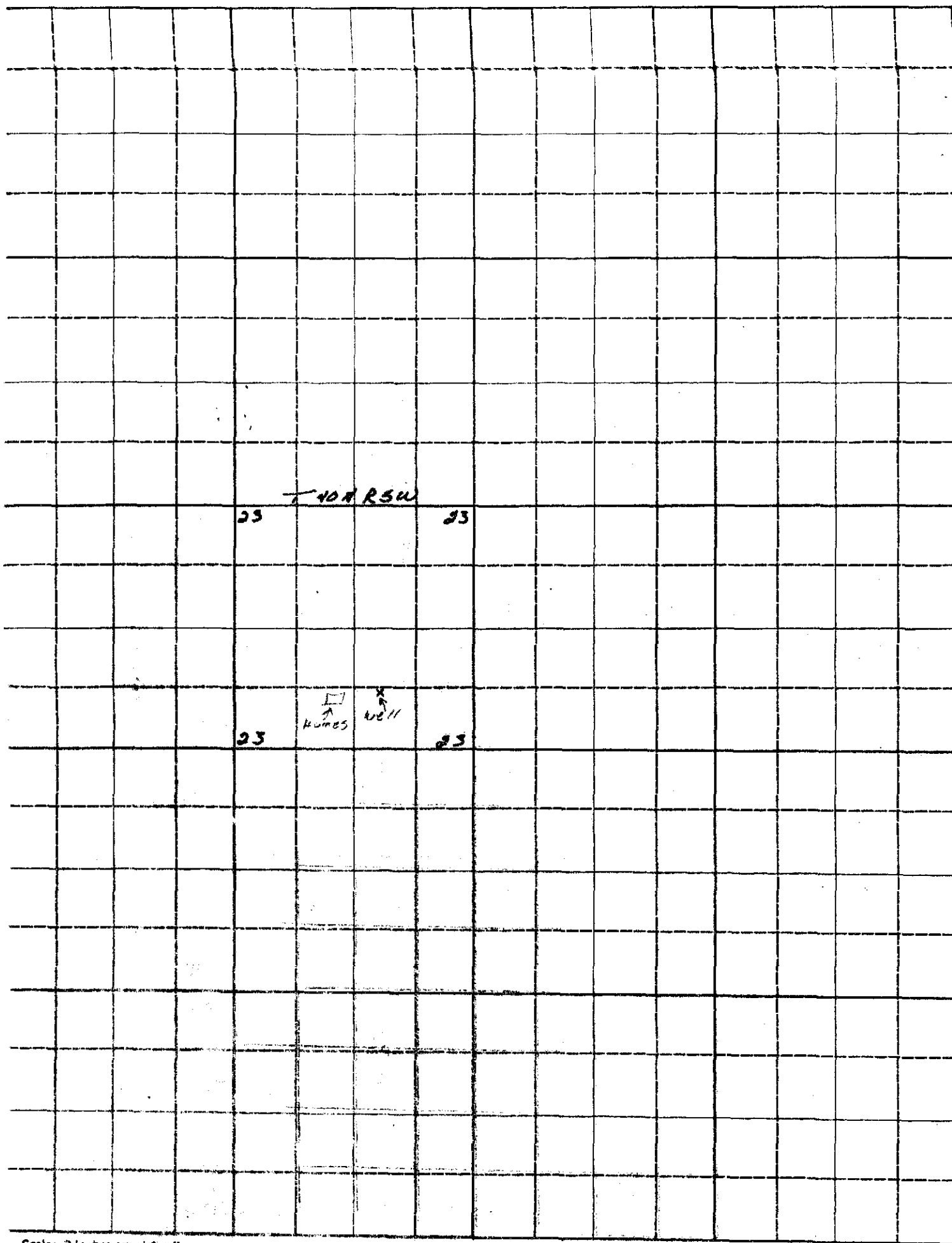
b. Who owns the land to be irrigated or place of use Appl

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 \_\_\_\_\_

MICROFILMED

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:

**MICROFILMED**

X

(Applicant)

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Preliminary check by \_\_\_\_\_ Fee \$ \_\_\_\_\_

Receipted by \_\_\_\_\_ Date \_\_\_\_\_

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by \_\_\_\_\_

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

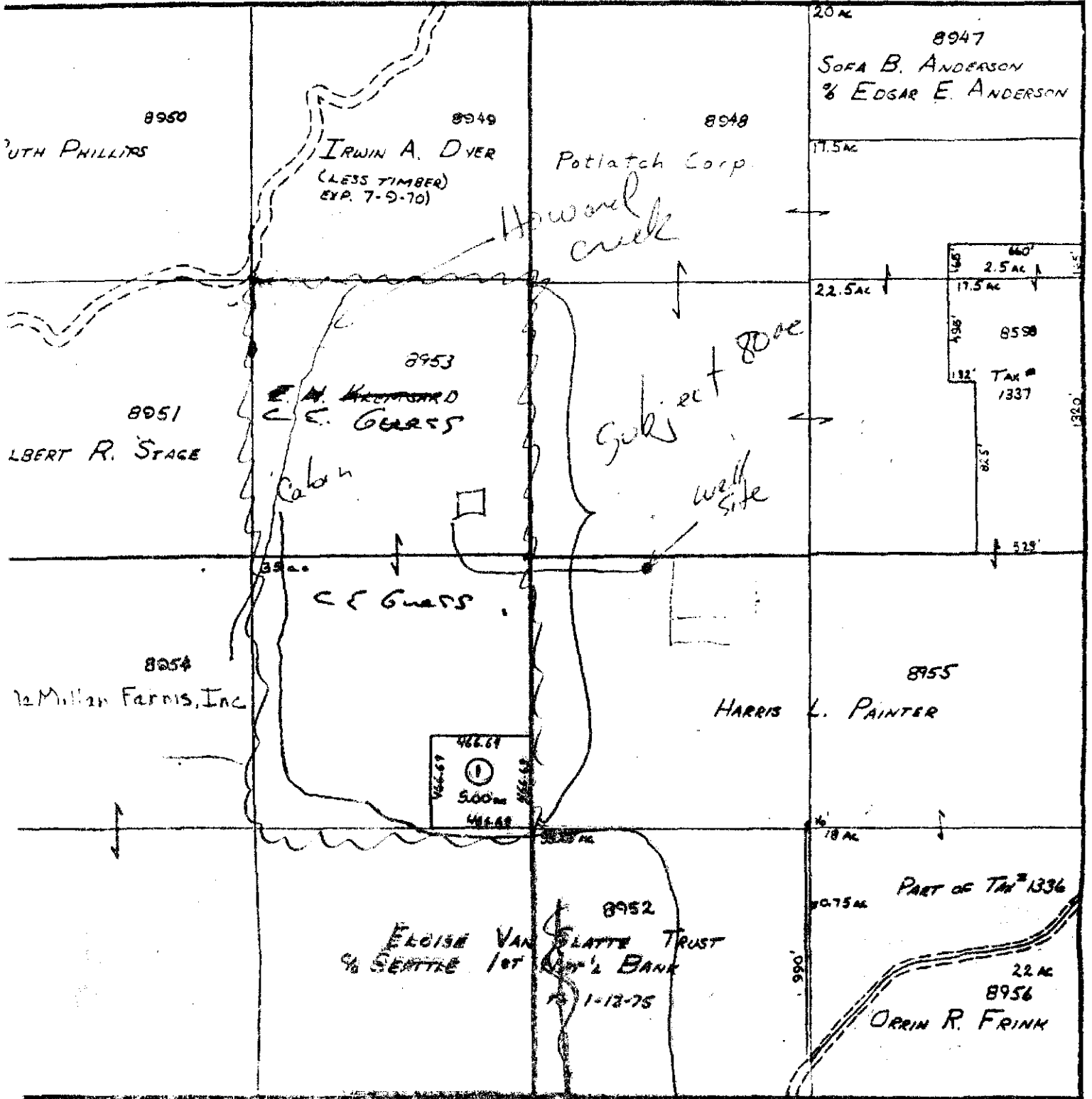
**MICROFILMED**

Tom - Hope this Section map will help - Dyer  
to find water on large stock tank  
from Howard Creek. Thanks, C. E. Guess

Section 23 Township 40 Range 5

N

PONTERO, CALIFORNIA, 1948



CHARLES E. GUESS, 8952-1, 1948, 5.00 ac



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
C. Stephen Alfred  
Director

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

February 9, 1983

Mr. Charles E. Guess  
2440 Moscow Mountain Rd.  
Moscow, Id. 83843

Dear Mr. Guess:

I regret to inform you that this Department cannot accept an Application for Permit norea Claim to a Water Right without the appropriate fee, so I am returning your Application and Claim. The filing fee for an appropriation of 0.01 cfs &/or 0.5 A/F is \$30.00. The filing fee for a Claim to a Water Right is also \$30.00.

You mentioned storage in Item No. 8b of the application, so I have taken the liberty of indicating this in Item Nos. 4 and 5a. You also mention a dam of 10 feet in height. You must complete the enclosed Small Dam Application and return it to this office with the appropriate fee before your Application for Permit can be approved.

On the claim, I have taken the liberty of changing Item No. 3 to indicate year-around use. Since the claim is a notarized document, please initial the changes I have made.

Before you resubmit the application and claim, please clarify the maps. This can be done by listing what scale you used and by labeling the section corners.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms  
Enc. - Application  
Claim  
Small Dam Application

**MICROFILMED**