

Affidavit of Publication

STATE OF IDAHO }
County of Latah } ss.

Ray Rasch

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: *June 24*
July 1, 1982

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

Ray Rasch

Subscribed and sworn to before
me this *7th* day of *July*

19*82*
Carol Fleener

Notary Public,
residing at Moscow, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

86-7144

BROWN, STEVE
HOPFENBECK, JAN
P.O. BOX 41, TROY, ID 83871
Source: UNNAMED STREAM tributary to LITTLE BEAR CREEK, WEST FORK
Date Filed: 04/29/1982
Amount: 0.20 CFS
Diversion Point: NWSE Sec 22 T 40N R 02W, LATAH Co.
Use: IRRIGATION (0.08 CFS) from 03/01 to 10/01; POWER (0.10 CFS) from 01/01 to 12/31; DOMESTIC (0.02 CFS) from 01/01 to 12/31
Place of Use: NWSE Sec 22 T 40N R 04W FOR 4 ACRES
Diversion Means: INFILTRATION GALLERY, PIPE, TANK, TURBINE & DAM.

87-7081

GILBERT, FREDERICK &/or DIANA

RT. 4 BOX422A, MOSCOW, ID 83843
Source: UNNAMED STREAM tributary to SINKS

Date Filed: 05/26/1982

Amount: 0.4 AC-FT

Diversion Point: NWSW Sec 24 T 40N R 05W, LATAH Co.

Use: RECREATION STORAGE (0.4 AC-FT) from 01/01 to 12/31; FIRE PROT. STORAGE (0.4 AC-FT) from 01/01 to 12/31
Place of Use: NWSW Sec 24 T 40N R 05W
Diversion Means: POND.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before JULY 12, 1982.

A. KENNETH DUNN
Director

June 24, July 1, 1982

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JUL 8 1982

Department of Water Resources
Northern District Office

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10. Other water rights on these lands 87-7108, 87-7109
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ **Photo of Diversion & System Attached**

☐ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature L. Beard Date 7/18/85

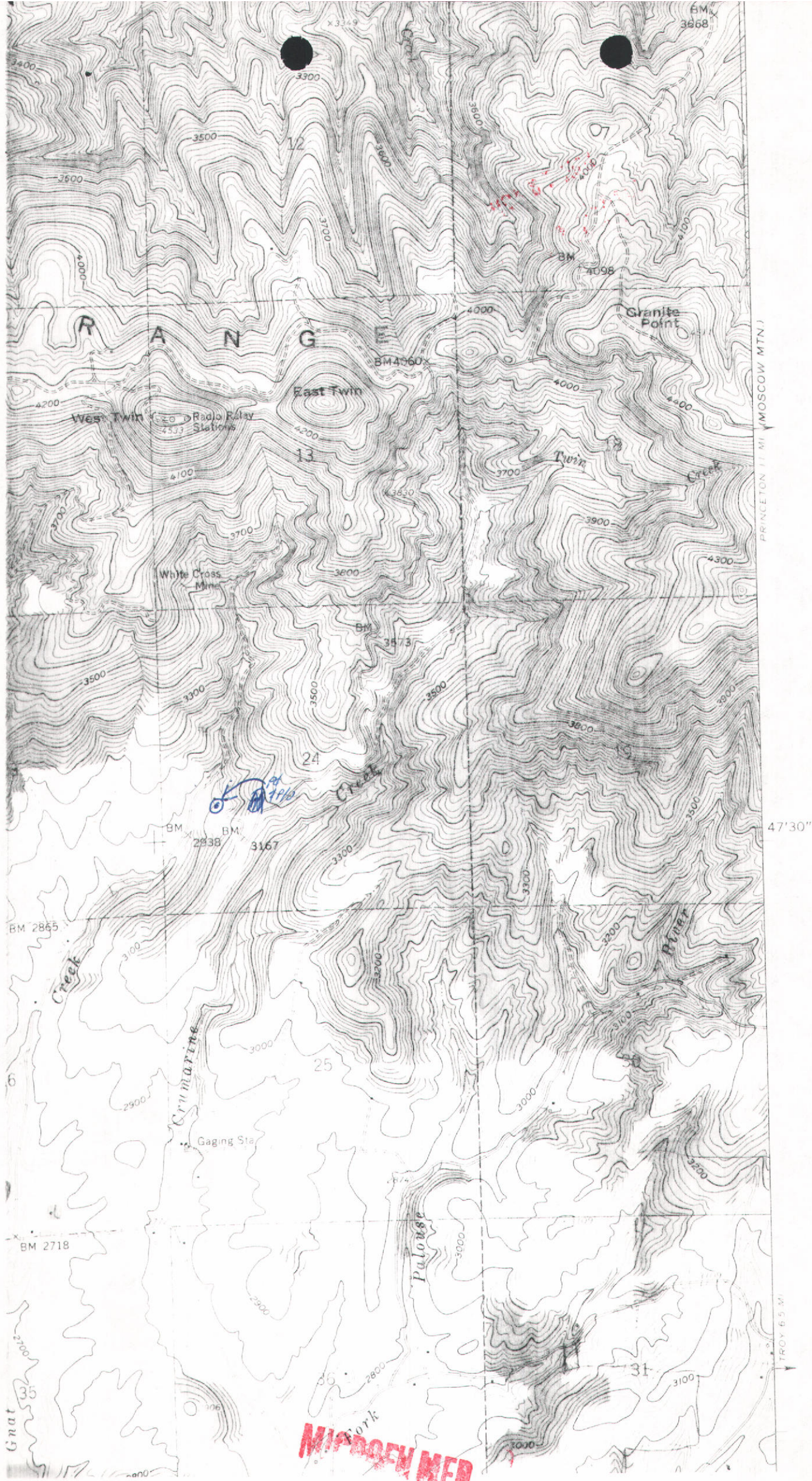
Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date _____

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CONSULTANT SEAL



TWP. 40N RGE. 5W SEC. 24 MAP # J-53 MAP SCALE 7 1/2
DATE OF FIELD EXAM _____ FIELD REPORT MAP PERMIT # 87-7081

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GILBERT, FREDERICK & DIANA
RT. 4 BOX 422A
MOSCOW, ID 83843

LAPSE NOTICE

AUGUST 08, 1984

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 87-7081 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED MAY 31, 1984.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 8-24-1984
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Rita Fleck

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 87-07081

Priority: June 24, 1982

Maximum Storage Volume:

0.4 AF

This is to certify, that FREDERICK GILBERT
DIANA GILBERT

2449 MOSCOW MTN RD
MOSCOW ID 83843

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 26, 1982; and has submitted Proof of Beneficial Use on August 30, 1984. An examination indicates that the works have a storage capacity of .800 af of water from:

UNNAMED STREAM

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION STORAGE	01/01 to 12/31		0.4 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		0.4 AF
	Totals		0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 24, Township 40N, Range 05W
LATAH County

PLACE OF USE: RECREATION STORAGE
TWN RGE SEC

40N 05W 24

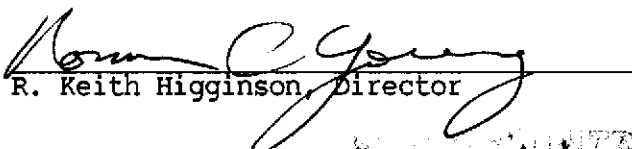
NWSW

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
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.

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 24TH day of OCTOBER, 1991.

Acting for


R. Keith Higginson, Director



NOV 21 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 87-7081 IN THE)
NAME OF FREDERICK AND DIANA GILBERT) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1984; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on August 30, 1984;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 87-7081 be REINSTATED and the priority advanced to June 24, 1982.

Dated this 21st day of September, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

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SEP 21 1984

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 Frederick and Diana Gilbert Phone 882-2988

Post office address Rte 4 Box 4224 Moscow ID 83843

2. Source of water supply UNNAMED STREAM RC 7/20/82 which is a tributary of Sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24 Township 40N

Range 5W B.M. Latah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.4 ac-ft for storage for fire protection purposes from Jan 1 to Dec. 31 (both dates inclusive)

Amount 0.4 AF for storage for Recreation purposes from 1-1 to 12-31 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or b. 0.4 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Excavated pond to collect run-off

b. Height of storage dam 16 feet, active reservoir capacity 0.4 acre-feet; total reservoir capacity 0.4 acre-feet, materials used in storage dam: earth

Period of year when water will be diverted to storage Jan. 1 to Dec. 31 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 1.5 years (minimum 1 year - maximum 5 years). ALLOW 2 YRS RC 7/20/82

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24 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 Boise, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: Fire protection, wildlife is recreational use

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12

The property which has 9.5 years to run before it is paid off.

c. Who owns the land to be irrigated or place of use
Geo. J. Wells, Haddam.

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

[illegible]

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

Received by JK Date 5/10/82 Time 1:00 PM
Preliminary check by JK Fee \$ 30.00
Received by JK Date 6/11/82 (21357)
Publication prepared by JK Date 6/17/82
Published in None
Publication dates 6/24 + 7/1/82
Publication approved JK Date 7/9/82
Protests filed by: None
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JK

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. 87-7081, 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 August 1, 19 84.
- 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:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 22nd day of July, 1982.

D. Allen Gayton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO }
County of Latah } ss.

Ray Rasch

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: *June 24*
July 1, 1982

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

Ray Rasch

Subscribed and sworn to before
me this *7th* day of *July*

19*82*

Carol Fleener

Notary Public,
residing at Moscow, Idaho

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Place of Use: NWSE Sec 22 T 40N R 04W FOR 4 ACRES

Diversion Means: INFILTRATION GAL- LERY, PIPE, TANK, TURBINE & DAM.

87-7081

GILBERT, FREDERICK &/or DIANA

RT. 4 BOX 422A, MOSCOW, ID 83843
Source: UNNAMED STREAM tributary to SINKS

Date Filed: 05/26/1982

Amount: 0.4 AC-FT

Diversion Point: NWSW Sec 24 T 40N R 05W, LATAH Co.

Use: RECREATION STORAGE (0.4 AC- FT) from 01/01 to 12/31; FIRE PROT. STORAGE (0.4 AC-FT) from 01/01 to 12/31
Place of Use: NWSW Sec 24 T 40N R 05W
Diversion Means: POND.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before JULY 12, 1982.

A. KENNETH DUNN
Director

June 24, July 1, 1982

RECEIVED
JUL 8 1982

Department of Water Resources
Northern District Office

October 28, 1991

FREDERICK GILBERT
DIANA GILBERT
2449 MOSCOW MTN RD
MOSCOW ID 83843

RE: WATER RIGHT NO. 87-07081

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

NOV 21 1991

LICENSE REVIEW CHECKLIST

Permit No. 87-7081

Name/Address change? ok ☒

Priority date Advance? yes no ☒
Memo to advance

Order to reinstate needed? yes no ☒

Total cfs Limited by fee N/A

Limited by capacity

Total volume Limited by flow

Chart checked for AF rate/ac N/A

Capacity Actual measurement checked ☒

Theoretical checked

If greater than permit, check for other rts

Source Changed? yes no ☒
If so, is memo needed to clarify?

P/D Verify with map ☒ permit ☒
More than one per 1/4? Remember remark
Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map ☒ permit ☒
> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4
Description of non-irrig uses
Special overlap condition

Conditions -

Measuring device
W.Master control
Overlap
Water quality
Other

Dates/Misc. -

Water Dist
App Rec'd
Proof Rec'd

CHECK FOR ADJ. CLAIM

Needed according to proof filed
Filed - needs amended
Add'l fee required
Not filed -
Not needed ☒

Comments/Changes to Examiner's Recommendations:

NOV 21 1991

License 10-day 30-day

Back of field report signed?
Reviewed Date 10/4/91 Review time 5 min.

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AUG 8 1985

87-7081
Permit No.

1. Measurement Calculations

Department of Water Resources

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

Pond Volume $\approx (8 \text{ ft})(0.25 \text{ AC})(0.4) = 0.8 \text{ AF}$

$$V_{opp} = 0.4 AFA$$

$$\therefore V = 0.4 \text{ AFA}$$

- b) Volume Calculations for Irrigation:**

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{10cm}}$$

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

$$V = \text{Smaller of } V_{LB} \text{ and } V_{RB} =$$

- c) Volume Calculations for Other Uses:**

2. Overlap Review

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

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

- c) Analysis:**

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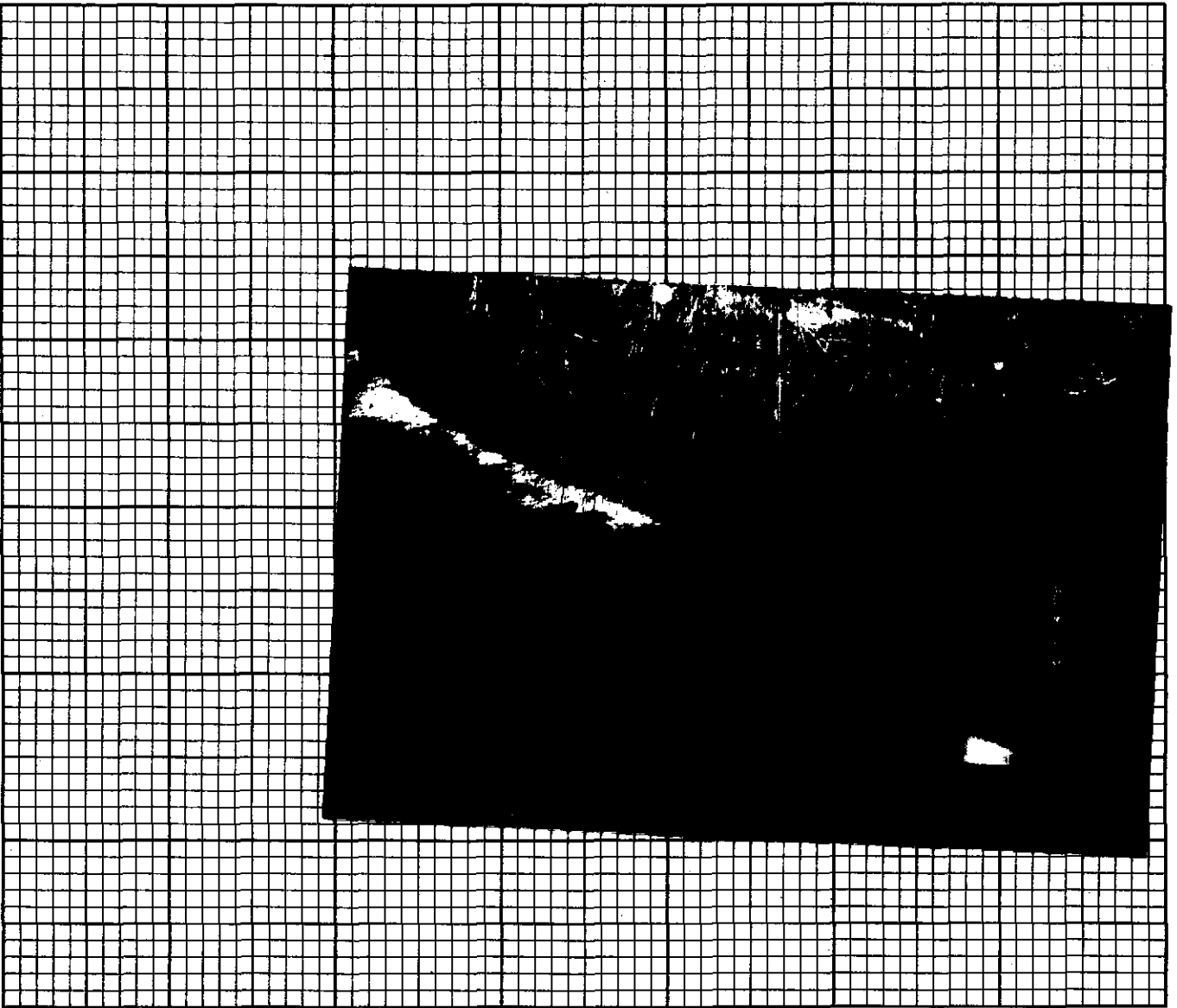
100-81281

- Date _____

Place(s) of Use:			Irrigation - give acres served by system at time of exam. Indicate Method of Determination _____																Totals
Twp.	Rge.	Sec.	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
40N	5W	24									X								
Total Acres _____																			

10. Other water rights on these lands 87-7108, 87-7109
11. Other water right diverted from same p.d. None

12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



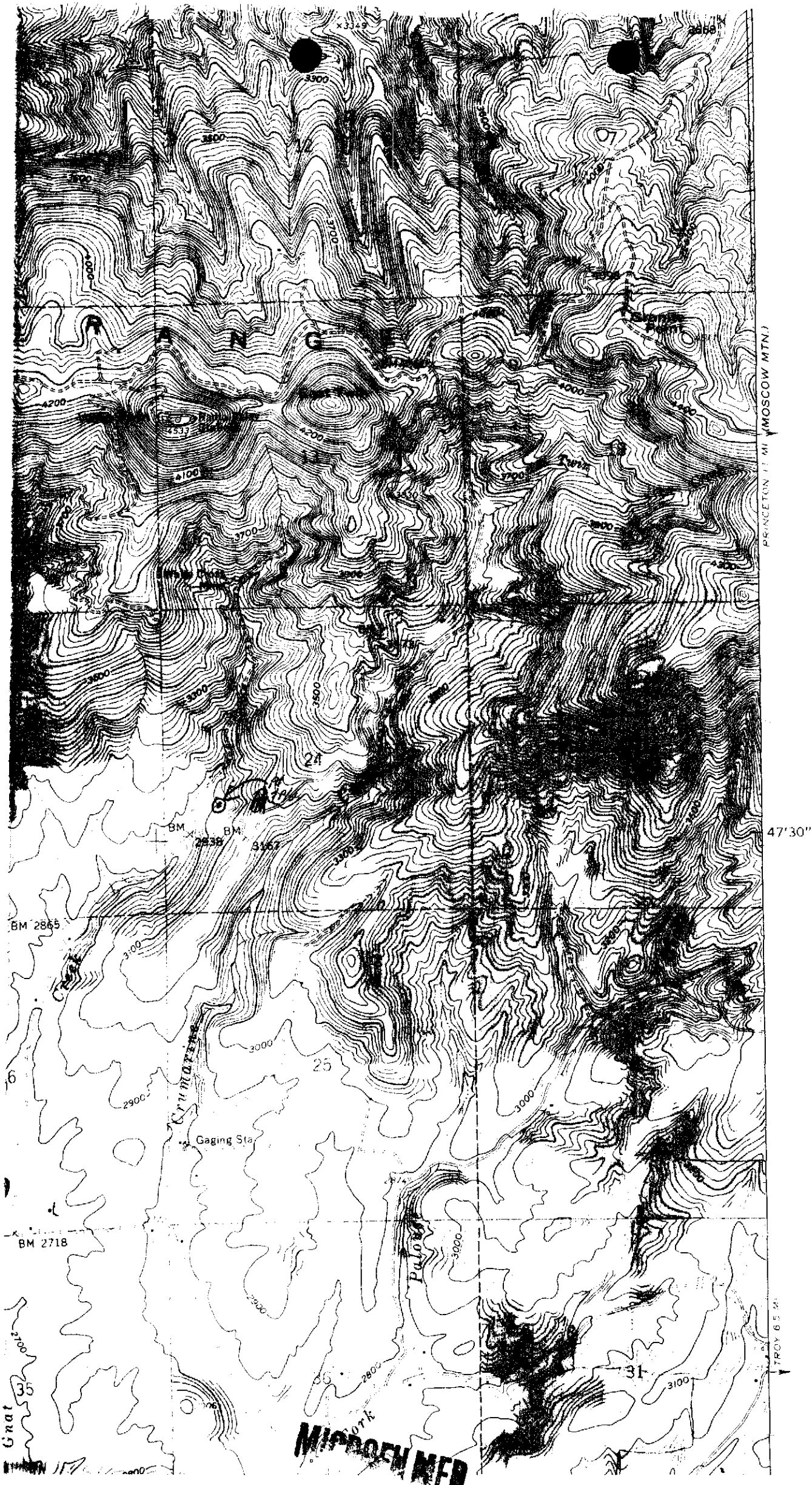
13. ☒ Photo of Diversion & System Attached
☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks

15. Recommended Amendments
☐ Change P.D. as reflected above
☐ Change P.U. as reflected above
16. Examiner's/Consultant's Signature *J. Bond* Date *7/18/85*
Consultant's License Number
IDWR Director's Authorization to Conduct
Beneficial Use Examination

Date
CONSULTANT SEAL

NOV 21 1985



TWP. 40N RGE. 5W SEC. 24 MAP # J-53 MAP SCALE 7/2
DATE OF FIELD EXAM FIELD REPORT MAP PERMIT # 87-7081

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

OCTOBER 2, 1984

FREDERICK OR DIANA GILBERT
2449 MOSCOW MTN ROAD
MOSCOW ID 83843

RE: Permit No. 87-7081

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a Water Right 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 765-4639 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

ENCLOSURE

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NOV 21 1991

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 87-7081

DATE: 9-20-84

Date proof received

Proof due

Number of day proof late

Priority date

New priority date

_____	<u>Aug. 30</u>
- _____	<u>Aug. 1</u>
<u>29</u>	
+ _____	<u>May 26, 1982</u>
_____	<u>June 24, 1982</u>

Remarks:

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 87-7681.

Name(s) of Permit Holder: Frederick and Diana Gilbert

Post Office Address: 2449 Mission Mtn Rd.

Mission, ID 83843 Tel. No. 882-2988

Source of Water: Surface water (runoff)

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

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.

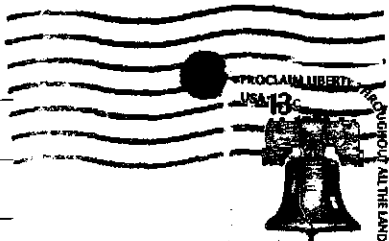
Aug 28/84
Date

Diana Gilbert
Signature of Permit Holder

FF. + D. GILBERT

2449 MESCOW AVE

MESCOW ID 83843



RECEIVED

AUG 30 1984



IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
STATEHOUSE

BOISE, IDAHO 83720

NOT RECORDED

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GILBERT, FREDERICK & DIANA
RD. 4 BOX 422A
MOSCON, ID 83843

LAPSE NOTICE

AUGUST 02, 1984

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-210A OF THE IDAHO CODE, PERMIT NO. 67-7081 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED MAY 31, 1984.

YOUR PERMIT CANNOT BE REINSTITUTED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN BAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LG:RY

CERTIFICATION OF MAILING

I hereby certify that on 8-24-1984
a copy of this document was
deposited in the United States mail,
postage prepaid, addressed to the
individuals named above.

John H. Clark

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

GILBERT, FREDERICK & DIANA
RT. 4 BOX 422A
MOSCOW, ID 83843

138836

PROOF DUE NOTICE

MAY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 87-7081 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Ex Stephen Adcock~~
Director

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

June 7, 1982

87-7081

Mr. Frederick Gilbert
Rt. 4 Box 422A
Moscow, Id. 83843

Dear Mr. Gilbert:

I have taken the liberty of completing your Application for Permit and I am returning it to you for your approval along with your Check No. 28-3 in the amount of \$30.00 and your Small Dam Application.

To file the applications, please return them with a filing fee of \$40.00 (\$30.00 for the Application for Permit and \$10.00 for the Small Dam Application).

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

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Application for Permit
Small Dam Application

RECORDED



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

June 1, 1982

RECEIVED

JUN 4 1982

Department of Water Resources
Northern District Office

Mr. Frederick Gilbert
Rt. 4 Box 422A
Moscow, Id. 83843

Dear Mr. Gilbert:

We are returning your Check No. 28-3 in the amount of \$30.00, your Application for Permit and your Application to Construct a Small Dam, for completion of Item Nos. 3, 4, 5, 6, 8c and 11.

In Item No. 2, you list the source of water as groundwater. You must therefore, list the legal description of the well in the space provided in Item No. 3.

In Item No. 4, list the rate of diversion from the well to the pond in CFS and the reason for storage (storage for recreation and fire protection.)

In Item No. 5, list the total rate of diversion in CFS.

In Item No. 6a, list the method you will use to divert water from the well and convey it to the pond.

In Item 8c, please list any other water source used for the purposes listed in Item No. 4.

In Item 11, please indicate the location of the well.

Sincerely,

Tom D. King

TOM D. KING
Senior Water Resource Agent

TDK/pms
Enc. - Application
Small Dam Application
Check

Dear Mr. King:
I guess our definition of groundwater differ. I meant only that the pond would be dug and the water source would be on site 10' from the ground (if below the water table) and from surface runoff. No well is involved and thus no diversion.
Sincerely, *Frederick Gilbert*

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GILBERT, FREDERICK & DIANA
RT. 4 BOX 422A
MOSCOW, ID 83843

AUGUST 03, 1982

RE: PERMIT NO. 87-7081

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 A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: J.R.

APPLICATION NUMBER: 87-7081

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 Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ 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 Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: 7/12/82 ✓
Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/12/82 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
5/26/82 Date of priority recommended.
✓ Special conditions of approval or cover letter. _____

By: RyH

Date: 7/13/82

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.

By: SLW/LIZ

Date: 7/20/82 JUL 19 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
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Suite No. 1
4055 Government Way
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June 1, 1982

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Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms
Enc. - Application
Small Dam Application
Check

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Fredrick and Diana Gilbert Phone 872-2988

Post office address 204 Box 4224 Moscow, ID 83843

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M. Latah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.4 cfs for storage purposes from Jan 1 to Dec 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. _____ cubic feet per second and/or b. 0.4 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam 16 feet, active reservoir capacity 0.4 acre-feet; total reservoir capacity 0.4 acre-feet, materials used in storage dam: earth

Period of year when water will be diverted to storage Jan 1 to Dec 31 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 1.5 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: NW $\frac{1}{4}$ of 10 $\frac{1}{4}$ of Section 27 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 _____

(5) If water is to be used for other purposes describe: Fire protection, wildlife

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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	
40N	43W	24																	

Total number of acres to be irrigated _____

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

9. a. Who owns the property at the point of diversion Geo. & Martha Hadden

b. Who owns the land to be irrigated or place of use Geo. & Martha Hadden

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The Haddens hold an owner's contract on the property which has 2.5 years to run before it is paid off.

10. Remarks The proposed dam was designed by Soil Conservation Service personnel for the site based on an investigation of the location (Marion field office).

RECEIVED

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

A grid of graph paper with handwritten text. The text "T 40 W R. S. 11" is written in the middle of the grid, and "Ac 24" is written below it. There is also a small "C" written to the left of "Ac 24".

T 40 W R. S. 11

Ac 24

C

14-24

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.

Y. T. Miller

(Applicant)

Received by Mr Date 5/26/82 Time 1:00 PM
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:

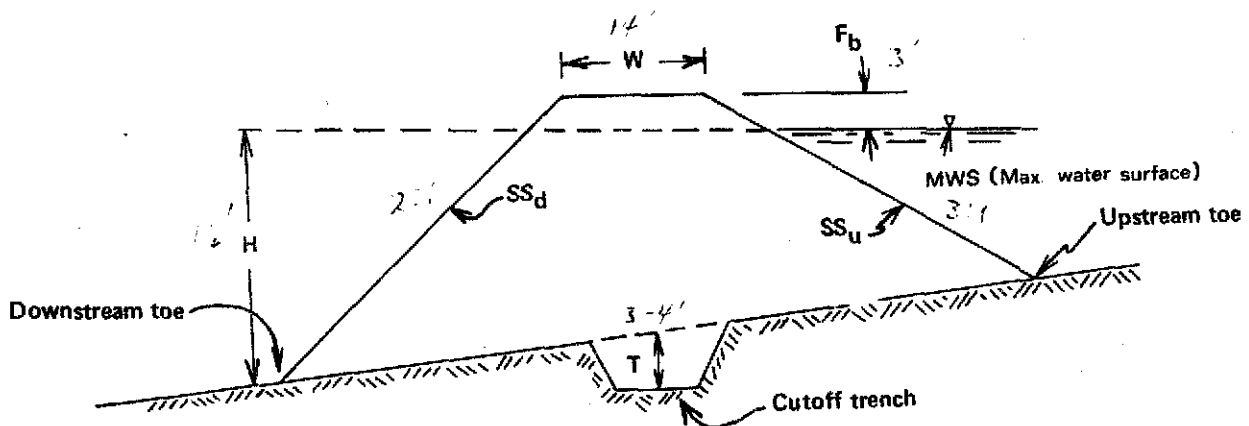
MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION TO CONSTRUCT A SMALL DAM

Required for construction or alteration of a dam 20 feet or less in height
and capable of storing less than 100 acre-feet of water.

- Name of owner (print or type): Frederick and Diane Gillbert Phone No. 881-2922
Post Office address: Rt. 4 Box 922A Moscow ID 83843
- Describe the nature of the proposed work (new dam, raise existing dam, etc.): New dam
- RESERVOIR:
Storage capacity 0.4 acre-feet. Surface area 0.15 acres.
Source of water (stream) Ground-water runoff Offstream storage: Yes ☒ No ☐
- DETAILS OF DAM:



Dam type (earth, concrete, rock, etc.) Earth

Location: Section 24 Township 14 N Range 5 W B.M.

Crest width (W) 14 feet.

Freeboard (F_b) 3 feet.

Height of dam (H) 12 feet. Height of existing dam, if being raised _____ feet.

Downstream side slope (SS_d) 2:1

Upstream side slope (SS_u) 3:1

Cutoff-Trench depth (T) 3-4

Length of dam 35 feet.

OUTLET CONDUIT:

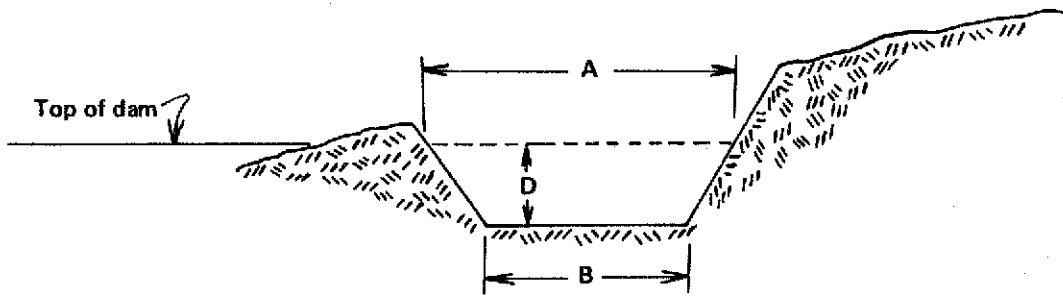
Size and type of pipe 12" diameter concrete pipe

Size and number of cutoff collars 2 cutoff collars

Gate location (upstream, etc.) Upstream

MICROFILMED

6. SPILLWAY:



Do you plan to use a gate or flashboards in the spillway? Yes _____ No ☒

Approximate natural drainage area above dam 11 acres.

Depth of spillway below top of dam (D) 3 feet.

Bottom width of spillway (B) 10 feet.

Top width of spillway (A) 22 feet.

Location: Abutment ☒ Away from dam _____ Over dam _____ Other (describe) _____

Channel lining (earth, riprap, concrete, solid rock, etc.): earth

7. DEVELOPMENT DOWNSTREAM:

Briefly describe the type of development or land use immediately downstream from the dam. Indicate estimated distances to significant area of improvement that could be damaged if the dam failed:

Farmstead 1/2 mile below dam is only alteration to natural
forested land use within about 1 mile.

8. CONSTRUCTION SCHEDULE:

Proposed date for start of construction July, 1982

May 24, 1982
Date

[Signature]
Applicant's signature

FOR DEPARTMENT USE ONLY

Date application received _____ By _____ Fee \$ 10.00

Date receipted _____ Received by _____

ACTION OF THE DIRECTOR, THE DEPARTMENT OF WATER RESOURCES

In accordance with the provisions of Title 42, Chapter 17, Idaho Code and the Department's Rules and Regulations for Safety of Dams, the above proposal is hereby _____, subject to the following conditions:

1. This action does not constitute the required authorization to appropriate water under Idaho Water Law.
2. All construction at dams is subject to approval by the Department of Water Resources which reserves the right to make inspection of such work as often as it deems necessary. The applicant shall notify the Department at the following times, and at such other times as it deems necessary, so that it may conduct inspections.
 - a. After clearing and excavation of foundation, and prior to placing fill material.
 - b. After installation of outlet conduit, and before placing any backfill material around conduit.
 - c. After construction is complete and before any water is stored in reservoir.

Additional conditions:

Witness my hand this _____ day of _____, 19____.

MICROFILMED

82-2081-

GILBERT, FREDERICK &/or DIANA

RT. 4 BOX 422A, MOSCOW, ID 83843

Source: UNNAMED STREAM tributary to SINKS

Date Filed: 05/26/1982

Amount: 0.4 AC-FT

Diversion Point: NWSW Sec 24 T 40N R 05W, LATAH Co.

Use: RECREATION STORAGE	(0.4 AC-FT)	from 01/01 to 12/31
FIRE PROT. STORAGE	(0.4 AC-FT)	from 01/01 to 12/31

Place of Use: NWSW Sec 24 T 40N R 05W

Diversion Means: POND.