

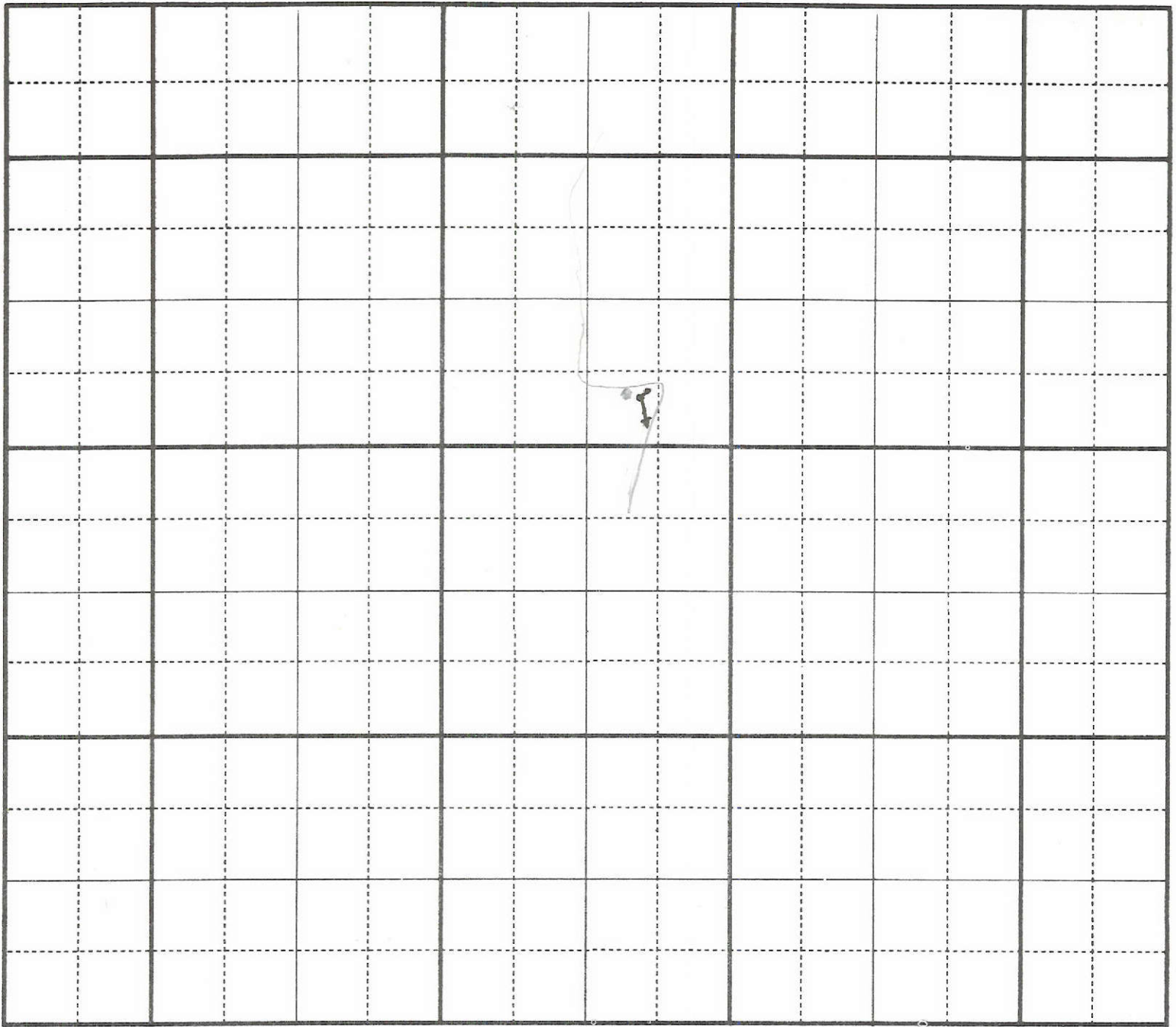


Diagram of System

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 87-7011 Priority Jan. 20, 1972 Amount 0.02 cfs

THIS IS TO CERTIFY, that ROBERT M. KESSEL
of Moscow, Idaho, has complied with the terms and conditions of Permit
No. 87-7011 issued pursuant to Application for Permit dated January 20, 1972,
and has submitted proof to the Department of Water Administration on March 9, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed stream
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.02 cfs for Fire Protection from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.02 cfs for Stockwater from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 1.0 AF for Storage for from Jan. 1 to Dec. 31 (both dates inclusive)
Stockwater

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, Twp. 39 N, Rge. 5 W, B.M.

in the county of _____; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.0 acre feet per year ~~xx~~ for
stockwater use.

~~xxxx feet per xxxxx~~

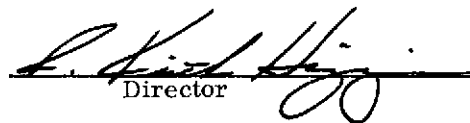
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
39 N	5 W	27															X		

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4TH day of
September, 19 73.


Director

87 7011

Identification No. 87-7011
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

LICENSE ISSUED FOR 0.02 SEC. FT.
LICENSE PAID 20

APPLICATION FOR PERMIT

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

1. Name of applicant ROBERT M. KESSEL
post office address Route #1 Box #162 H Moscow, Idaho 83843
2. Source of water supply unnamed stream which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 39 N
Range 5 W B.M. Latah County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for stock water purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1 A.F. for storage for stock water purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for fire protect purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
earth fill stock pond

b. Height of storage dam 12 feet, active reservoir capacity 1 acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 950.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 39 N
Range 5 W B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
six horses and two cows
(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: _____

87 7011

1104 28

TOTALS

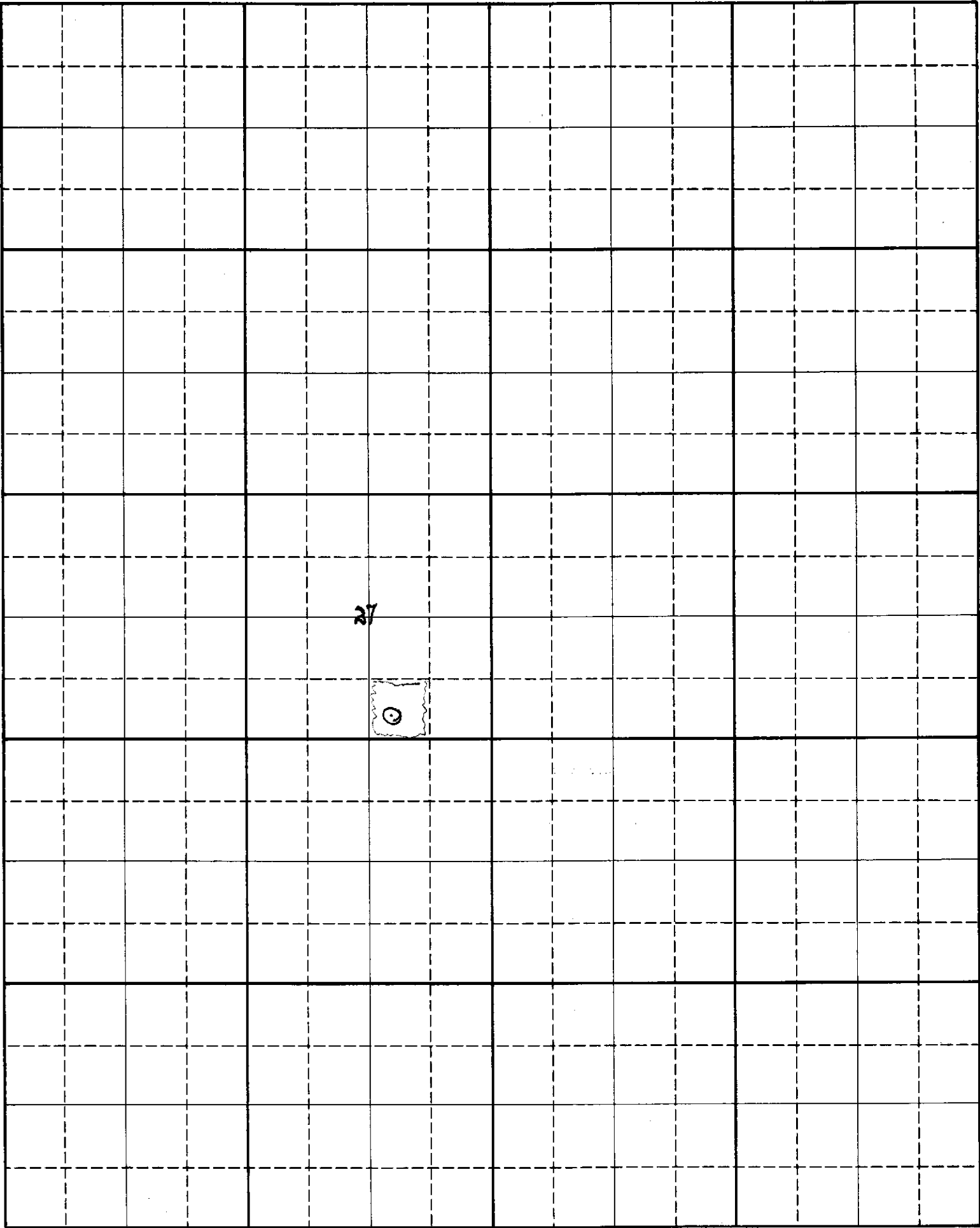
c. Describe any other water rights used for the same purposes as described above.

b. Who owns the land to be irrigated or place of use _____ Robert and Elizabeth Kessel

applicant to make this filing.

10. Remarks

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert H. Kessif
(Applicant)

Received by ej Date 1-20-72 Time 3:30 p.
 Preliminary check by DB Fee \$ 10
 Receipted by ej Date 1-21-72
 Publication prepared by cr Date 2-4-72
 Published in Daily Idahonian
 Publication dates 2-10 & 2-17-72
 Publication approved cl Date 2-23-72
 Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by De BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

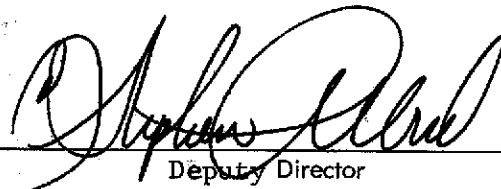
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 87-7011, and said application is hereby APPROVED.

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 April 1, 19 73.
- c. Other: _____

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

Witness my hand this 28TH day of March, 19 72.


 Deputy Director

Affidavit of Publication

STATE OF IDAHO }
County of Latah } ss.

A. J. Mearns

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 there-
to; 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 supple-
ment thereto, upon the following

dates: Feb 10, 19
1972

the same being the dates desig-
nated for the publication of said
legal notice.

[Signature]
Subscribed and sworn to before

me this 18 day of February
19 72

Carmen Wedin

Notary Public,

residing at Moscow, Idaho

County of Latah

My Commission Expires August 10, 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert M. Kessel, Route
No. 1, Box 182 H. Moscow, Idaho has on January 20,
1972 submitted Application No. 87-7011 for a permit to
appropriate 0.02 cubic feet per second and 1.0 acre
feet per annum of water from an unnamed stream by
means of pond within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 39N,
R. 5W, B.M. Latah County to be used from Jan. 1 to
Dec. 31 for stockwatering, stockwater storage, and
fire protection within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 39N,
R. 5W, B.M.

If issued, this permit will be subject to all prior
water rights. Protests against the granting of the
permit must be filed with the Idaho Department of
Water Administration, Statehouse, Boise, Idaho,
83707, on or before February 28, 1972.

R. KEITH HIGGINSON
Director

Feb. 10, 17, 1972

87 7011

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190

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

September 5, 1973

Re: Permit No. 87-7011

Mr. Robert M. Kessel
Route 1, Box 162-A
Moscow, Idaho 83843

Dear Mr. Kessel:

Enclosed please find a copy of the Water License issued on the
above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

bjg

Enclosure

87 7011

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

87-7011
b/n

1. Name of permit holder Robert M. Kessel Dam insp Due
Post office address Route 1, Box 162-A, Moscow, Idaho Phone 208-685-2850
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ unnamed stream
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.02 c.f.s. for Stockwater
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount 0.02 c.f.s. for Fire protection
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for Storage
1 AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 87-7011
Examination for b/n

4. Total amount to be appropriated:

Max Rate of Diversion 0.02 cubic feet per second and annual volume 1 AF/Annum.

5. Location of Point(s) of Diversion:

Township 39 N N/S, Range 5 W E/W, B.M., Section 27, Subdivision SW $\frac{1}{4}$ SE $\frac{1}{4}$, Latah
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: _____

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
39N	5W	27															X		

TOTAL ACREAGE _____

87-7011

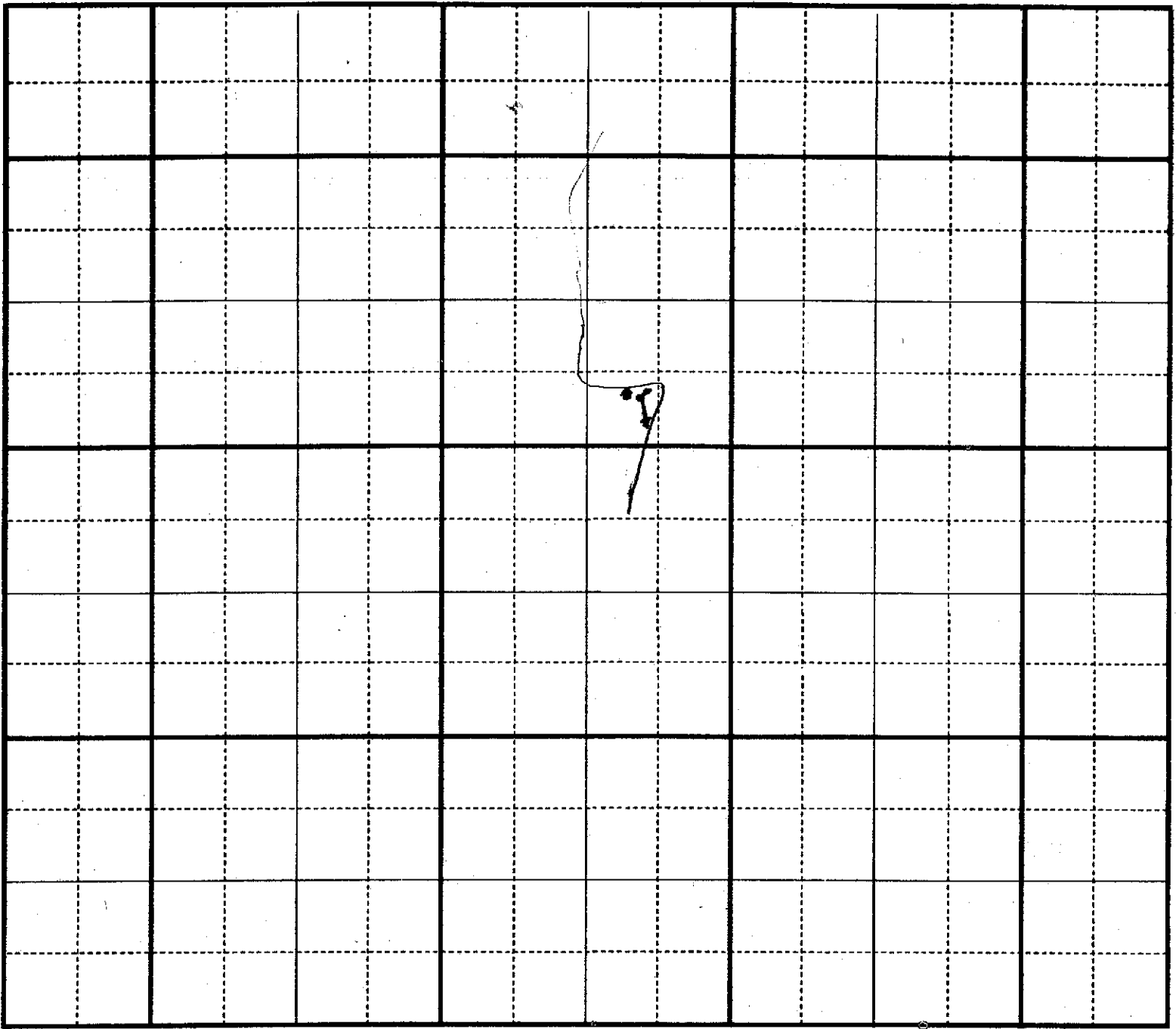


Diagram of System

DATE OF EXAM 6/6/73

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Livestock Q= 0.02 c.f.s. V= 0.2 AF/Ann. from JAN 1 to DEC 31

FIRE PROTECTION 0.02 JAN 1 DEC 31

Is water co-mingled? yes _____ no ☒

Name source: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Point of injection:

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Point of exchange:

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Total Q measured 0.02 Method of measurement ESTIMATED

Total Q recommended 0.02 Meter No. _____ Type _____ Condition _____

Total V recommended ~~0.02~~ 0.2

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None ☒

MEASUREMENT CALCULATION:

ESTIMATED

SYSTEM DESCRIPTION:

RESERVOIR WITH PIPELINE 5/8" HOSE FOR FIRE
PROTECTION & STOCK WATERING

REMARKS:

3 HORSES

Examiner's Signature [Signature] Date 6/6/73

Checked by [Signature] Date 7/13/73

Approved by _____ Date _____

March 12, 1973

Re: Permit No. 87-7011

**Mr. Robert M. Kessel
Route 1, Box 162-A
Moscow, Idaho 83843**

Dear Mr. Kessel:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field exam, please contact our Northern District Office at 401 Front Avenue, Room 209, Coeur d'Alene, Idaho.

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

BDF:DR

87 7011

Identification No. _____

Permit No. 87-7011

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
MAY 10 1973
Department of Water Administration

1. a) Name of Permit Holder Robert M. Kessel
b) Post Office Address Rt. 1, Box 162A, Moscow, Idaho
2. Permit Number 87-7011
3. Date of Priority that you are prepared to establish 1-13-72
4. a) Source from which water was appropriated Surface runoff
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 27
Township 39-N, Range 5W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 1 ac ft for Livestock & Fire prot purposes from Year to around incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated NA cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: NA
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: NA
b) Describe the agreement or understanding by which you take water from the works: NA
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) NA
b) Describe the type and size of measuring device which you have installed at your point of diversion: NA
c) Give well drillers name and address and date the well was completed NA

Exam typed 3-12-73 by h 7011

Livesack Wafer + Stord for File protection

1001

✓✓

(Signature)

State of IDAHO)
County of LATAH) ss.

Notary Public residing at MOSCOW, IDAHO

96/81/01

87 704

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

24315

1

Robert Kessel

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

by Mrs. Allen Wark

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3

1-2-73

87 7011

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- ↓
- If special services are desired, check block(s) on other side.
 - Moisten gummed ends and attach to back of article.

**RETURN
TO**

**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707**

PS Form 3811 Nov. 1970

e55-16-81277-1

January 31, 1973 CERTIFIED MAIL

#24315

Re: Permit No. 87-7011

Robert M. Kessel
Route 1, Box 162-H
Moscow, Idaho 83843

Dear Mr. Kessel:

One of the conditions of approval of your water Permit No. 87-7011 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before April 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

87 7011

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 29, 1972

Re: Permit No. 87-7011 - Robert M. Kessel

Robert M. Kessel
Route #1, Box 162H
Moscow, Idaho 83843

Dear Mr. Kessel:

Enclosed is a copy of your approved Application for Permit No. 87-7011. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosure

87 7011

February 4, 1972

Re: Application No. 87-7011- Robert M. Kessel

Daily Idahonian
Box 399
Moscow, Idaho 83843

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarch
Appropriation Examiner

FE:cr

Enc: Legal Notice

Bill submitted 2-23-72. cr

87 7011

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Robert M. Kessel, Route #1,

Box 162 H, Moscow, Idaho

has on January 20, 1972 submitted Application No. 87-7011

for a permit to appropriate 0.02 cubic feet per second / ^{and 1.0} acre feet per annum
of water from an unnamed stream

by means of pond

within the SW¹/₄ Sec. 27, T. 39N, R. 5W, B.M., Latah County

to be used from Jan. 1 to Dec. 31

for Stockwatering, stockwater storage, and fire protection

within the SW¹/₄ Sec. 27, T. 39N, R. 5W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before February 28, 1972.

R. KEITH HIGGINSON

Director

Published in the Daily Idahonian, Moscow, Idaho

on Feb. 10 and Feb. 17, 1972.

87 7011

January 21, 1972

Robert M Kessel
Route #1, Box 162-H
Moscow, Idaho 83843

Dear Mr. Kessel:

Attached herewith is your receipt No. 8725 in the amount of \$ 10.00
for your application for permit
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

87 7011

H
January 14, 1972

Mr. Robert M. Kessel
Route #1
Post Office Box #162 H
Moscow, Idaho 83843

Dear Mr. Kessel:

We are returning your application for permit form, with check #92-49, in the amount of \$10.00.

We have taken the liberty of re-typing your application and have included some minor changes on the new form. Item #2 has been changed to an unnamed stream as the source of your water. Item #4 has been changed to show the amounts appropriated for both livestock and fire protection.

If you agree with the changes we have made, please sign the new form and return it with the proper fee to this office.

If we can be of further assistance in this matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: check #92-49 (\$10.00)
application for permit
re-typed application

87 7011