

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of two issues, the first publication being on the 31st day of May, 1979 and the last on the 7th day of June, 1979.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes
.....

Subscribed and sworn to before me this 8th day of June, 1979...

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

95-7931

Name: Buck Albert

Address: Rt. 1 Box 89B, St. Maries, Idaho 83861

Date Filed: May 17, 1979

Amount: 0.20 cubic feet per second

Source: Unnamed spring tributary to Benewah creek

Means: Collection box & pipeline

Point of Diversion: SWNE Sec 09 T 45N R 03W, Benewah county

Place of Use: SWNE Sec 09 T 45N R 03W For 20 acres

Use: Irrigation (0.20 cfs) from March 15 to Nov. 15, Stockwater (0.02 cfs) from Jan. 1 to Dec. 31 & Domestic (0.04 cfs) from Jan. 1 to Dec. 31.

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, Idaho, 83814 on or before JUNE 18, 1979.

C. STEPHEN ALLRED
Director

No. 5747 — May 31-June 7.

RECEIVED

JUN 11 1979

Department of Water Resources
Northern District Office

MICROFILMED

2. Measurements:

Theoretical Calculation

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

D. FLOW MEASUREMENTS

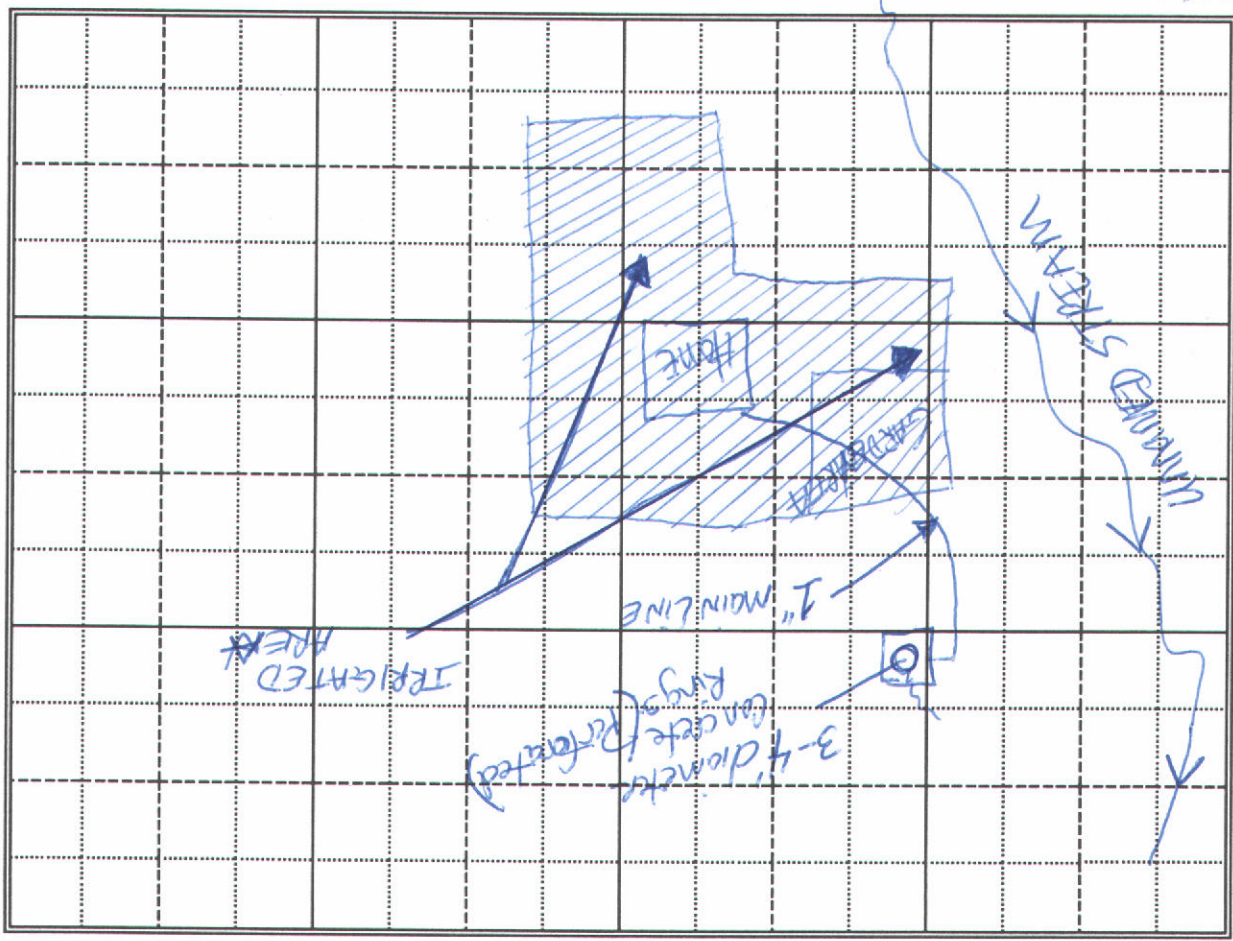
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PD #1	Submersible	3/4	—	Buckley	1"

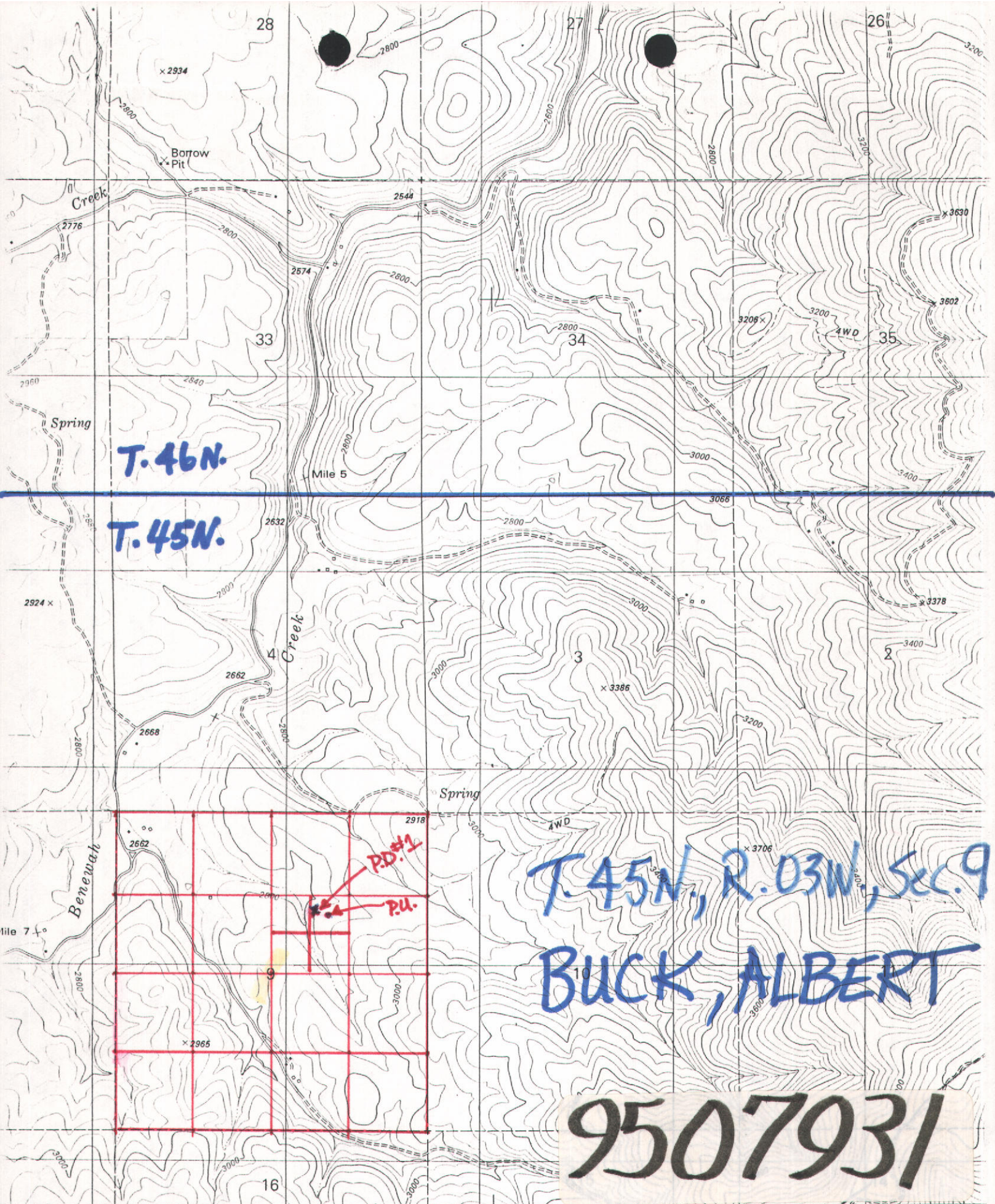
4.

- ☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
- ☒ Aerial Photo Attached (required for irrigation of 10+ acres)
- ☒ Photo of Diversion and System Attached

Scale: 1" = 100'



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.d. as applicable.



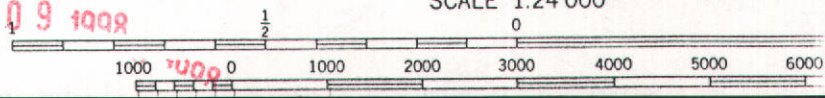
and published by the Geological Survey
d NOS/NOAA

ogrammetric methods from aerial photographs
dated 1976. Map edited 1991

APR 09 1998

MICROFILMED

(EMIDA 1:62 500)
95 2678 II / 92
SCALE 1:24 000



Beverly
Evans

Be
Evans

Blankinship

4

Humphrey

Lara
Humphrey

Merle
Humphrey

Lara
Humphrey

4

3

9

10

Merle

stephenson

Linda
Buck

Albert
Buck

Albert
Buck

Michael
McDonald

Steve
Cunha

Don
Steve
Darter
Cunha

Steve

MICROFILMED
APR 09 1996

Kent

Cunala

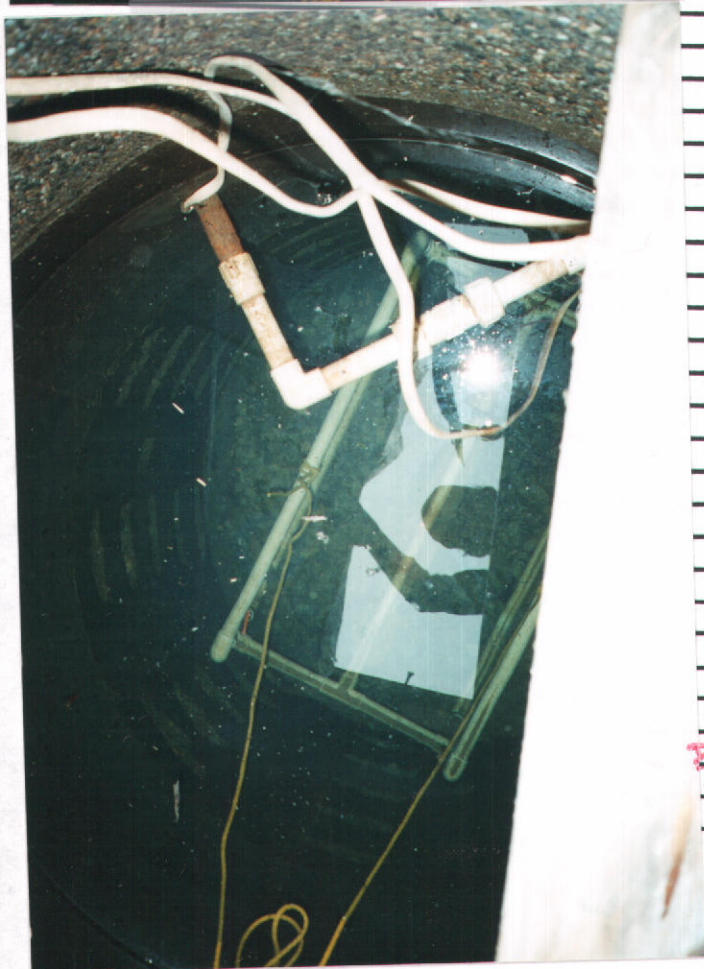
9 10

16 15

95-07931

PERMIT #

STATE OF IDAHO
DEPARTMENT OF WATER
AND REPORT SUR
PHOTOGRAPH



APR 10 2000
MICROFILMED

95-079.31



STATE OF IDAHO
DEPARTMENT OF WATER
AND REPORT SUPPLY
PHOTOGRAPH



PLACE OF USE



MICROFILMED
JUL 9 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-07931

Priority: May 17, 1979

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

3.7 AF

This is to certify, that ALBERT BUCK
RT. 1 BOX 89B

ST MARIES ID 83861 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 17, 1979; and
has submitted Proof of Beneficial Use on May 31, 1984. An examination indicates
that the works have a diversion capacity of 0.030 cfs of water from:

SPRING

tributary to BENEWAH CREEK

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>
IRRIGATION	03/15 to 11/15	0.03 CFS	3.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.03 CFS	3.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 9, Township 45N, Range 03W
BENEWAH County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
45N	03W	9	SWNE	1		1

Total number of acres irrigated: 1

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

MICROFILMED
APR 08 1988

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 95-07931

CONDITIONS OF APPROVAL AND REMARKS

4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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 23rd
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 10 1998

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 ALBERT BUCK Phone _____

Post office address RT 1 BOX 89B, ST. MARIES, ID

2. Source of water supply UNNAMED SPRING which is a tributary of BENEWAH CR.

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 45N

Range 3W B.M. BENEWAH County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for STOCKWATER purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 for IRRIGATION purposes from MAR 15 to NOV 15 (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. 0.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. COLLECTION BOX & 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 _____ 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 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: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9 Township 45N

Range 3W 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 15 HEAD CATTLE & HORSES

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

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

RECORDED

[illegible]

02

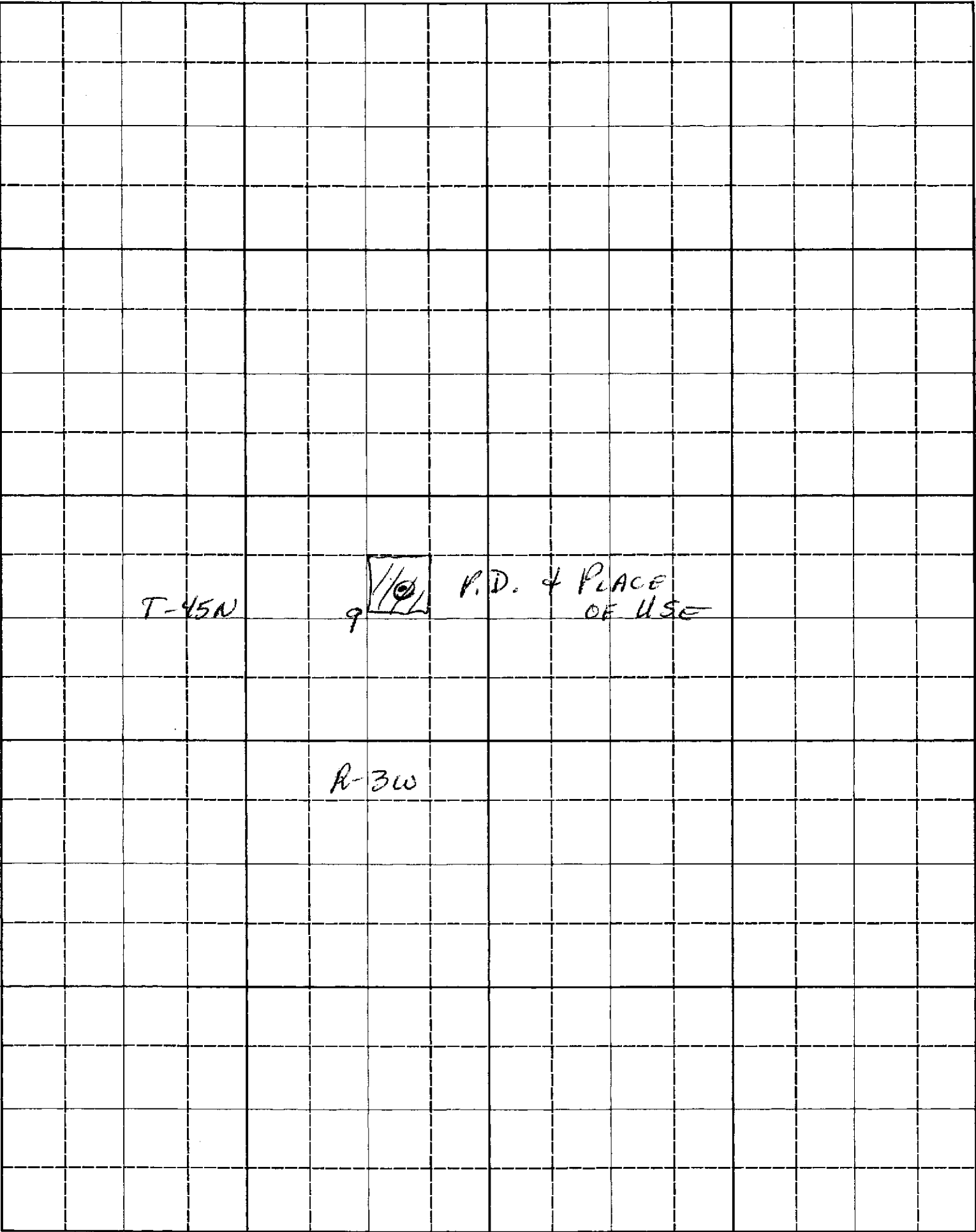
None

Application

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.

Albert Buck
(Applicant)

Received by KK Date 5/17/79 Time 10:00 A
Preliminary check by AK Fee \$ 20.00
Received by KK Date 5/17/79 # 13579
Publication prepared by AK Date 5/23/79
Published in AK
Publication dates 5/31 - 6/1/79
Publication approved AK Date 6/8/79
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval _____ denial by AK

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. 95-7931, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____ June 1, 19 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: _____

Witness my hand this 25 day of June, 19 79.

Chief, Operations Bureau

D. Allen Sawyer

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of two issues, the first publication being on the 31st day of May, 1979 and the last on the 7th day of June, 1979.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

JoJane Hammes

Subscribed and sworn to before me this 8th day of June, 1979.

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

95-7931

Name: Buck Albert

Address: Rt. 1 Box 89B, St. Maries, Idaho 83861

Date Filed: May 17, 1979

Amount: 0.20 cubic feet per second

Source: Unnamed spring tributary to Benewah creek

Means: Collection box & pipeline

Point of Diversion: SWNE Sec 09 T 45N R 03W, Benewah county

Place of Use: SWNE Sec 09 T 45N R 03W For 20 acres

Use: Irrigation (0.20 cfs) from March 15 to Nov. 15, Stockwater (0.02 cfs) from Jan. 1 to Dec. 31 & Domestic (0.04 cfs) from Jan. 1 to Dec. 31.

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, Idaho, 83814 on or before JUNE 18, 1979.

C. STEPHEN ALLRED
Director

No. 5747 — May 31-June 7.

RECEIVED

JUN 12 1979

Department of Water Resources
Northern District Office

RECEIVED JUN 12 1979



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ALBERT BUCK
RT. 1 BOX 89B
ST MARIES ID 83861

RE: WATER RIGHT NO. 95-07931

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

APR 09 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

MICROFILMED

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

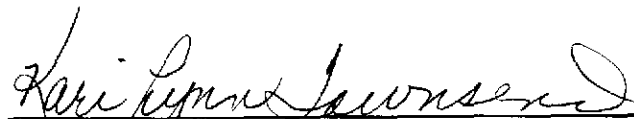
APR 03 1978

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 95-07931

ALBERT BUCK
RT. 1 BOX 89B
ST MARIES ID 83861


Kari Lynn Townsend
Secretary

MICROFILMED

APR 11 1998

MEMORANDUM

TO: File 95-07931

FROM: Sharla

DATE: February 17, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 95-07931 are as follows:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.03 cfs	3.0 afa
Stockwater	1/1 - 12/31	0.02 cfs	0.1 afa
Domestic	1/1 - 12/31	0.02 cfs	0.6 afa
	TOTALS	0.03 cfs	3.7 afa

The domestic use is in-house only so the rate and volume have been adjusted accordingly.
The rate for stockwater was taken from Application Processing Admin. Memo #3.

Examiner: Herman Spangle
Exam Date: June 30, 1997

MICROFILMED

APR 09 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-07931

DATE 2/13/98

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	—	✓	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	—	✓	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	—	✓	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U
Overlap file pulled & reviewed —

RATE OF DIV

Permitted Rate	<u>.20</u> cfs
Fee limit	<u>.04</u> cfs \$ NO FEE PD.
Measured	<u>—</u> cfs
Theoretical	<u>.03</u> cfs

Recommended Total Div Rate .03 cfs

ANNUAL VOLUME/
NATURE OF USES —

✓	Use	cfs	Volume Calc
	<u>Dom</u>	<u>.03</u>	<u>1 X 3.0 = 3.0</u> af
	<u>Stock</u>	<u>.02</u>	<u>.1</u> af
	<u>Dom</u>	<u>.02</u>	<u>.6</u> af
			af
	SUBTOTAL	<u>.03</u>	<u>3.7</u> af

Flow rate .03 cfs X 246 days X 1.98 = 14.6 af

Total volume recommended — af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WBS(1)

CONDITIONS — Watermaster Control WD# —

Ado GW Measurement/Measuring Device
Ado Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed NA
Adjustment Memo dom vol (in house)
stock rate

1st Amend Letter NA
2nd Amend Letter NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

95-07931

A. GENERAL INFORMATION

Permit No. 95-07931

1. Owner: ALBERT BUCK Phone No. (208)-245-4754

Current Address: Rt. 1 Box 898 ST. MARIES, ID. 83861

2. Accompanied by: ALBERT BUCK EXAM DATE: 10-30-97

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: Permit Holder

3. Source: Spring tributary to Beneviah Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
<u>PD#1</u>		<u>NE</u>	<u>SW</u>	<u>NE</u>	<u>09</u>	<u>45N</u>	<u>03W</u>	<u>Beneviah</u>	<u>USGS 7.5' QUAD, Site Visit</u>

2. Place(s) of Use:

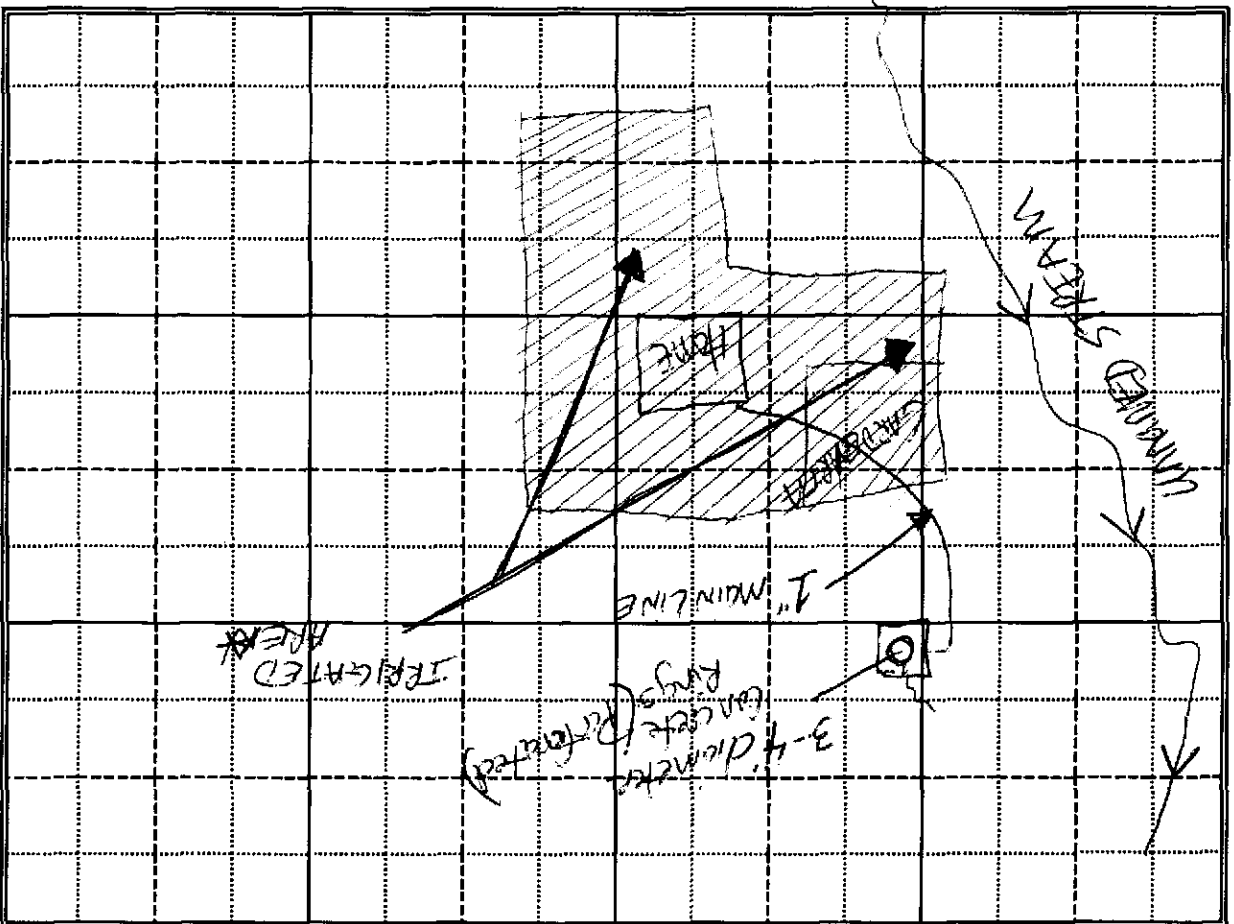
Indicate Method of Determination USGS QUAD, Site Visit

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>45N</u>	<u>03W</u>	<u>09</u>			<u>D</u>														<u>Domestic</u>
<u>45N</u>	<u>03W</u>	<u>09</u>			<u>1.0</u>														<u>1.0</u>

MICROFILMED

SPR 10 97

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" = 100'

X Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

X Aerial Photo Attached (required for irrigation of 10+ acres)

X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PD #1	Submersible	3/4	—	Berkley	1"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Theoretical (Calculation)

E. NARRATIVE/REMARKS/COMMENTS

System Consist of 3-4' diameter Concrete rings that are perforated for infiltration of spring water. A 3/4 HP Berkley Submersible pump serves 1 Home and 1 acre of LAWN & GARDEN. A 1" Black P.V.C. Main Line runs Approx. 100' uphill to the home. A 40 gallon Pressure Tank is located in the home. The Spring Cistern is about 8' deep with water. Stock water is for 10 head of Cattle.

IRRIGATION is done by Hose bibs and garden hose.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

APR 09 1998

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

See Theoretical Calculations

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (110 \times 3.0) = 3.0$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.03 \times 245 \times 1.9835) = 14.58$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 3.0 \text{ ACRES FEET}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

From	To	Period of Use	Rate of Diversion	Annual Volume
3-15	11-15	11-15	.03	3.0
1-01	12-31	12-31	.04	1.2
1-01	12-31	12-31	.002	.13
1-01	12-31	12-31	.04	4.33
Totals:				

2. 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 ☐

I. AUTHENTICATION

Field Examiner's Name

Date

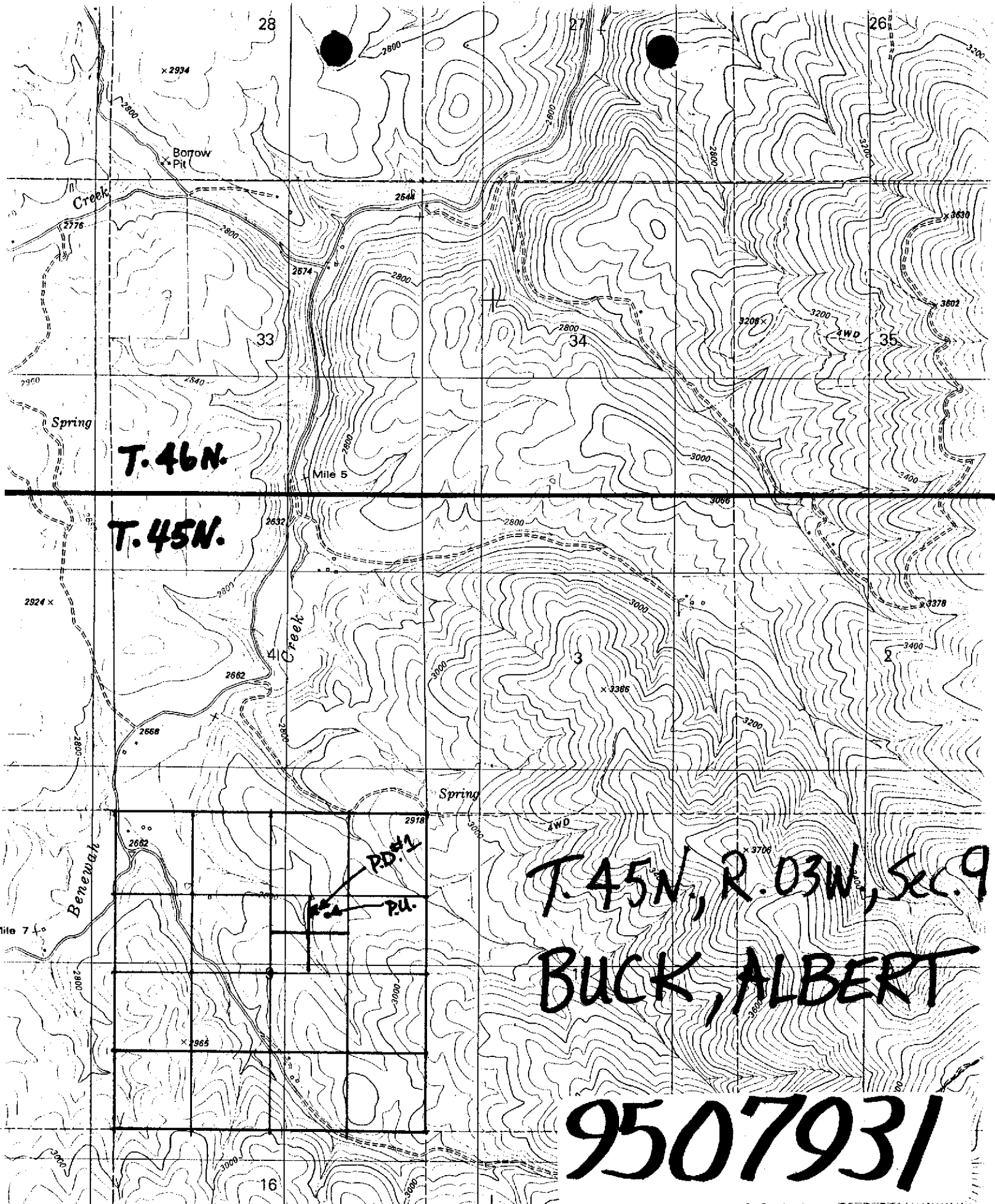
Reviewer

7-8-97

SEAL

RECORDED
APR 9 5 1958

* 1 Home @ .04 cfs for 1.2 ACRES FEET
 * 10 head of cattle @ 12 gpd = 120 gpd = 5 minutes
 24 hrs
 = .08 gpm = .0002 cfs



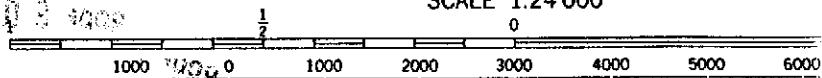
and published by the Geological Survey

I NOS/NOAA

ogrammetric methods from aerial photographs



APR 13 1990



DEMIDA 1:62 500

95 2678 II / 92

SCALE 1:24 000

Beverly
Evans

Bc

Evans

Blankinship

Lara
Humphrey

4 3

9 10

Humphrey

Lara
Humphrey

Merte
Humphrey

Merte

stephensen

Linda

Buck

Albert

Buck

Albert
Buck

Michael
McDonald

Steve

Don
Steve
Darter
Cuvale

RECEIVED

8 8 1981 Kent

Cuvala

8 10

15 15

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-07931
DATE: 8-JUL-97
COMPLETE BY: HERM

HORSEPOWER = .75

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 20 FEET

SYSTEM PRESSURE = 50 PSI

QUANTITY = 0.03 CFS

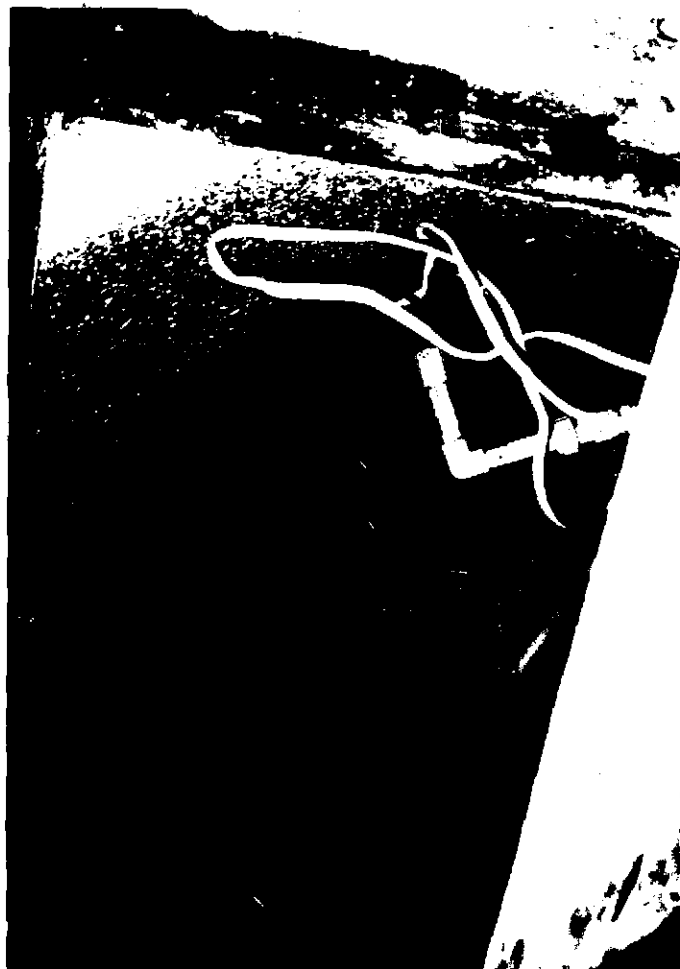
MICROFILMED
APR 03 1998

95-07931

PERMIT #

STATE OF IDAHO
DEPARTMENT OF WATER
AND REPORT SURVEY

PHOTOGRAPH

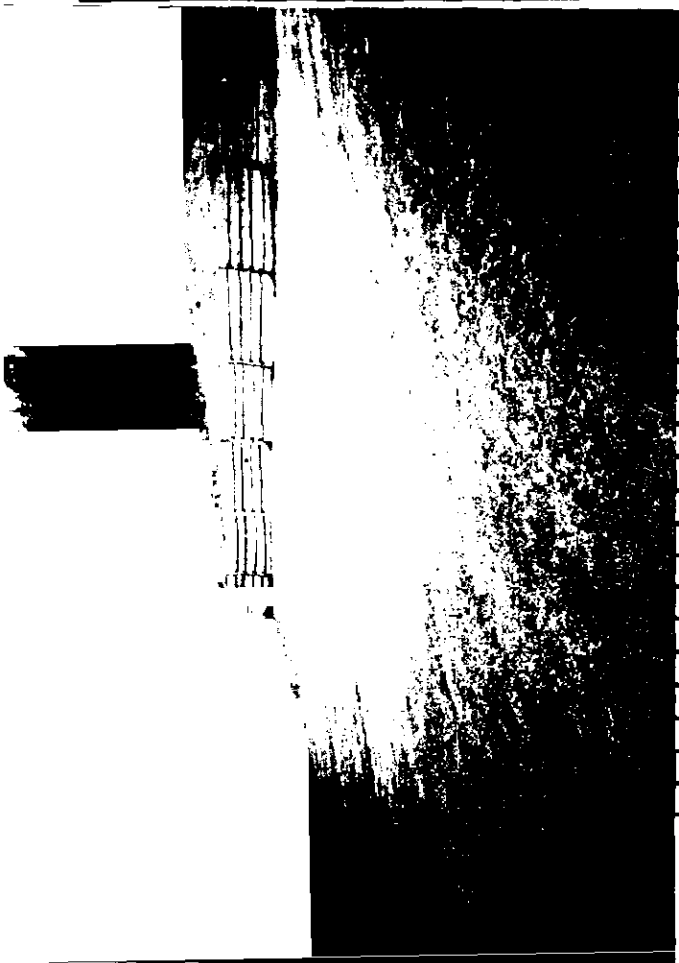


95-07931

STATE OF IDAHO
DEPARTMENT OF WATER
AND REPORT SUPPLY

PHOTOGRAPH

PLACE OF USE



NOT FILMED
19 2024

October 16, 1991

Albert Buck
Rt 1 Box 89B
St. Maries ID 83861

Re: Water Right Permit No. 95-07931

Dear Mr. Buck:

After auditing our files, it was discovered that a Field Examination to verify the extent and nature of the water development covered under Permit No. 95-07931 has never been conducted. This error on our part in no way affects your right to use water under this Permit. However, the Examination still needs to be done. If at all possible, I would like to do the Examination some time in the next two weeks. If you need a week-end appointment, I will be going to Tensed on the 2nd of November and could Examine your water development at that time. Please let me know what time would be convenient for you.

Sincerely,

Theresa J. Bright
Field Examiner

Enc.: Env.

Sent letter 5/14/96 with no response
for field exam. Had ME Cochran
Sent letter 6/19/96 NO Response
TJME

MICROFILMED

APR 09 1992

4/86

RECEIVED

MAY 23 1986

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received N/A

Date 5/10/86

Receipt # 7

Receipt by 7/10/86

Sent to S.O. 7/10/86

RECEIVED

MAY 15 1986

1. Permit No. 95-7931

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE Department of Water Resources
Northern District Office

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Albert Buck

3. Post Office Address: Rt. 1 Box 89 B St. Maries Id - 83861

Telephone No. 208-245-4754

4. Source of Water: Spring

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 3 (No. and type of stock)

Irrigation 1 (acres) Other/Remark

6. Total rate &/or volume for which proof is submitted .04 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

MAY 1979

8. Person to contact to accompany the department representative during the field examination:

Albert or Linda Buck
(Name)

Rt. 1 Box 89 B St. Maries Id.
(Address)

245-4754
(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date 5-13-86

Signature of Permit Holder (and title, if appropriate) Albert Buck

APR 05 1986



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720

A. KENNETH DUNN

95-7931
BUCK, ALBERT
RT. 1 BOX 89B
ST. MARIES, ID 83861

138451

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

APR 19 1986

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED
APR 09 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 95-7931Name(s) of Permit Holder(s): Albert BuckPost Office Address: Rt. 1 Box 89B St. Maries ID
83861Tel. No. 245-4754

☒ I hereby certify that construction of diversion works for the above referenced permit began on 7-15-79 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

7-4-82

Date

Albert Buck

Signature of Permit Holder

MICROFILMED

APR 09 1982

Albert Buck

Rt. 1 Box 89B

St. Maries, ID 83861



Department of Water Resources
JUL 9 1982



RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

APR 09 1998

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

JULY 31, 1984

ALBERT BUCK
RT. 1 BOX 89B
ST. MARIES ID 83861

RE: Permit No. 95-7931

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced 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 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

MICROFILMED

APR 09 1998

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. 95-7931

Name(s) of Permit Holder: ALBERT BUCK

Post Office Address: Rt. 1 Box 898 St. Maries Id.
83861 Tel. No. 245-4754

Source of Water: SPRING

Extent of Use: ☒ Domestic 1 (number of households)
☒ Stockwater 15 - Cattle & Horses (number and type of stock) Pigs - Chickens
☒ Irrigation 2 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
 Access Point: 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.

5-26-84
 Date

Albert Buck
 Signature of Permit Holder

Albert Bud

Rt. 1 Box 89B

St. Maries Id. 83861



RECEIVED

MAY 31 1984



IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138636

BUCK, ALBERT
RT. 1 BOX 898
ST. MARIES, ID 83861

PROOF DUE NOTICE

MARCH 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7931 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 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

ENCLOSURE



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 27, 1979

RE: Water Rights NO. 95-7931

Albert Buck
Route #1, Box 89B
St. Maries, Idaho 83861

Dear Mr. Buck,

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: NR

APPLICATION NUMBER: 95-7931

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ 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.

Buck

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- N/A ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. None platted
☒ Yes ☐ No* In form for advertising.
Final date for protests: June 18, 1979
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: June 11, 1979
☒ 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? _____
5-17-79 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: RSW

Date: 6-18-79

STATE OFFICE REVIEW:

Approve

- ☐ See attached sheet for more information.

By: Juni

Date: 6/22/79

RECEIVED
JUN 20 1979

95-7931

BUCK, ALBERT

RT. 1 BOX 89B, ST. MARIES, ID 83861

Source: UNNAMED SPRING tributary to BENEWAH CREEK

Date Filed: 05/17/1979

Amount: 0.20 CFS

Diversion Point: SWNE Sec 09 T 45N R 03W, BENEWAH Co.

Use: IRRIGATION	(0.20 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: SWNE Sec 09 T 45N R 03W FOR 20 ACRES

Diversion Means: COLLECTION BOX & PIPELINE

MICROFILMED