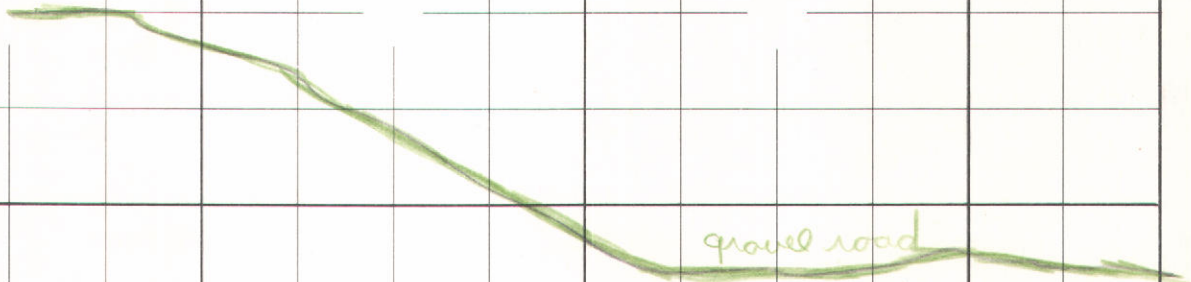


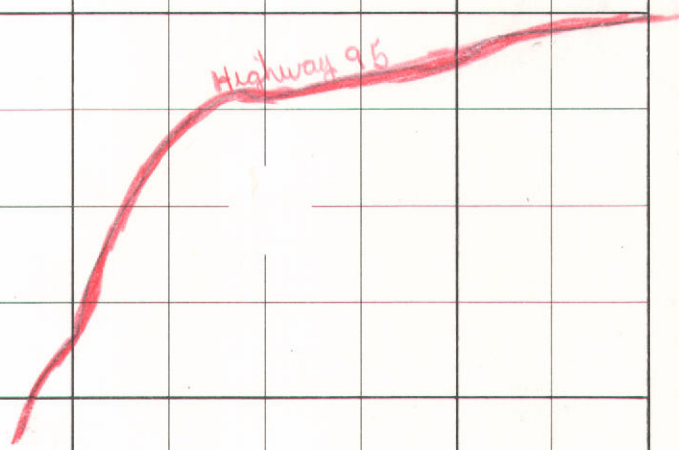
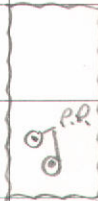
Range 5 W

T
3
S
-
6
H
8
N
O
R
T
H



gravel road

17



Highway 95

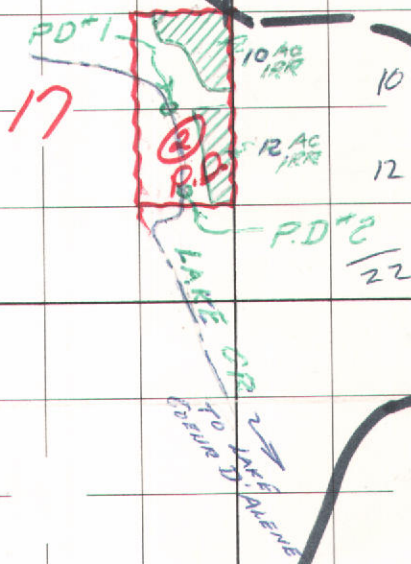
Q measured _____
Q recommended _____
Volume _____
Acreage •
Found _____
recommended _____
Subdv. _____
Amendments
☐ None
☐ P.D.
☐ Place of use
☐ _____

R-5W

To Spokane



T-48N



.56 c.s.
recommended .44 c.s.
June _____
Acresage -
Found 22
recommended 22
Subdv. _____
Amendments
☒ None
☐ P.D.
☐ Place of use
☐ _____

Hwy 95

Area 22 A

Subd - 2

Q =

To Clumer

Pending correspondence
from me/VOKK

Report hereby

Good letter
ack

to you
about
5/13

5/15
collected and heard before me

32523
95-2123

Completion of obligations under said
... .. he says that the



SOIL and CAPABILITY MAP
Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

S. C. DISTRICT AND AGENCIES COOPERATING IN SOIL SURVEY

OWNER _____
OPERATOR _____

COUNTY _____

STATE _____

PHOTO NO. _____

FARM NO. _____ DATE _____
SCALE _____ ACRES _____
APPROXIMATE



34993-1439

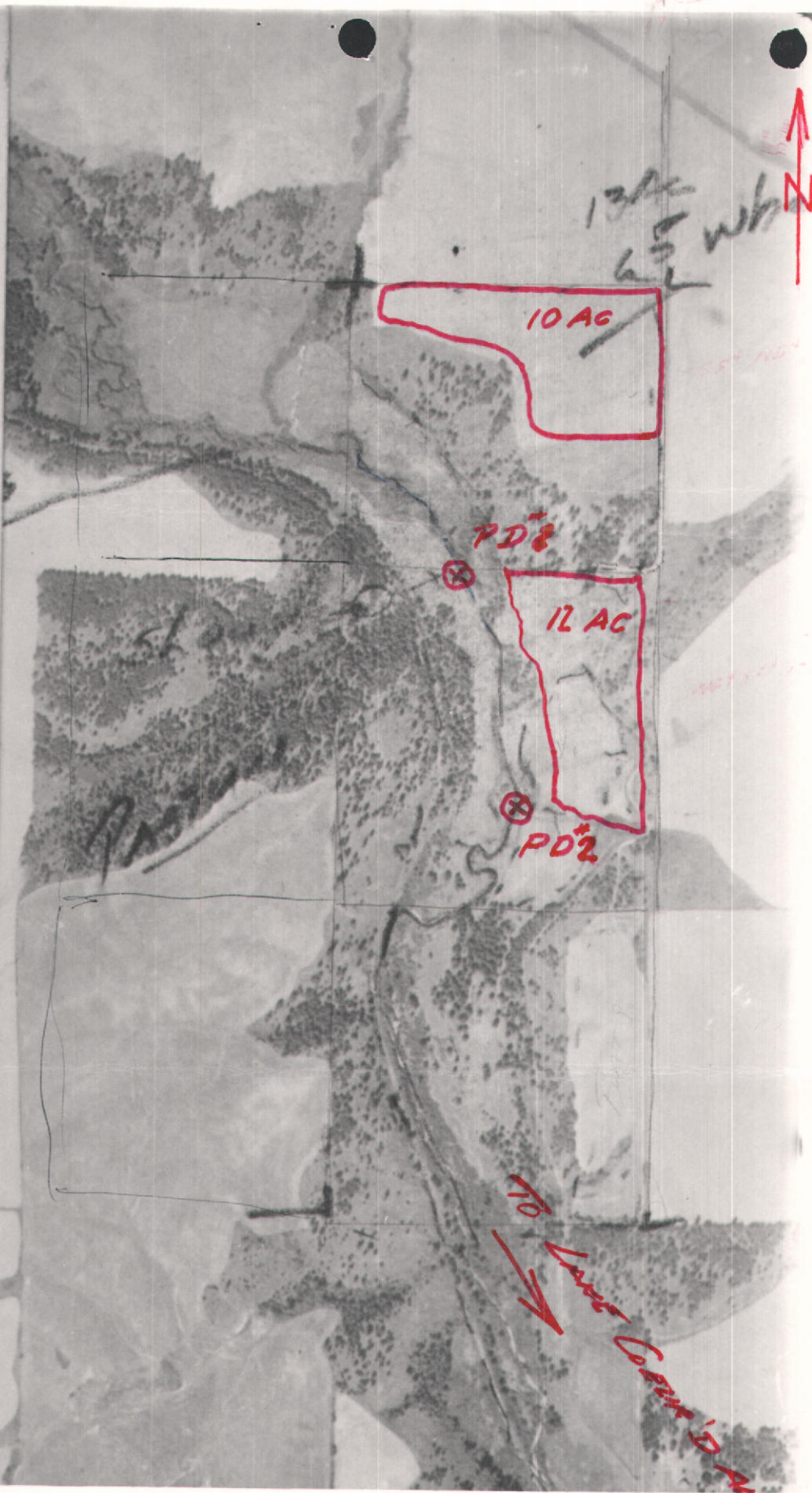
32523

22699 NW



CONSERVATION PLAN MAP
Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

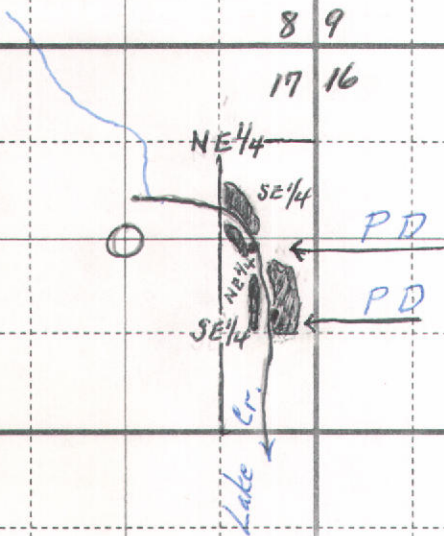
OWNER			
OPERATOR			
COUNTY	1	STATE	
PHOTO NO.		FARM NO.	
		SCALE	DATE
		APPROXIMATE	ACRES



34993-1439

22523

48N 5W SECTION 17



APPROXIMATELY 8 ACRES IN
SE 1/4 NE 1/4 &
17 ACRES IN NE 1/4 SE 1/4
TOTAL 25 ACRES

1st DOT REPRESENTS (FIRST) POINT OF DIVERSION
APPROXIMATELY 2700 FT FROM NE CORNER
OF SECTION 17
2ND DOT - (SECOND) POINT 3600 FT FROM NE CORNER
APPROXIMATELY OF SECTION 17

NOTE: THE DOTS REPRESENT THE LOCATIONS
OF THE PUMP WHICH WILL BE
MOVEABLE.

Permit Map No. 32523
As Approved
CARL E. TAPPAN SEP 22 1965
State Reclamation Engineer

NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that on September 18, 1967 at Coeur d'Alene, County of Kootenai, State of Idaho, before notary public J. Ray Cox, 516 Sherman Ave., Coeur d'Alene Idaho, proof will be submitted of the completion of works for the diversion of 0.5 c.f.s. of the waters of Lake Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 32523, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Henry A. Novak, 1412 N. 4th Street, Coeur d'Alene, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.

3. The use to which said water has been applied is sprinkling (pasture and crops) purposes, and the amount applied to beneficial use is 0.5 c.f.s.

4. The point of diversion of said water is in 2 points in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

6. The date of priority which said user is prepared to establish is September 16, 1965.

R. KEITH HIGGINSON

State Reclamation Engineer

Aug. 23, 30, Sept. 6, 13, 1967

RECEIVED

SEP 25 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
95-02173					
95-08062					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **PAID - THANK YOU! ! !**
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

4. New Owner/Claimant(s)

GARY J AND/OR JENNIFER W TREFZ

Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

18491 S FRANCIS FAIRE RD

City, State and ZIP Code

WORLEY ID 83876

New Telephone Number

(208) 765-1416

5. Date you acquired the property:

9/89

MICROFILMED

OCT 17 2002

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Henry J. Kutz
James W. Dwyer

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by DB Date 8-23-02 Fee \$50.00 (\$25 x 2)
 Receipted by DB Date 8-23-02 Receipt No. N015233
 Processed by AJ Date 8-23-02 WR _____ Date _____

MICROFILMED
OCT 17 2002

1163155

WARRANTY DEED

For Value Received

JANET FERRARI, A SINGLE PERSON

RECEIVED

AUG 23 2002

IDWR/North

the grantor, do hereby grant, bargain, sell and convey unto

GARY J. TREFZ & JENNIFER W. TREFZ, HUSBAND & WIFE

ADDRESS: 3137 Valencia Avenue, San Bernadino, CA 92404

the grantee s, the following described premises, in KOOTENAI County Idaho, to wit:

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE EAST HALF OF THE
SOUTHEAST QUARTER SECTION 17, TOWNSHIP 48 NORTH, RANGE 5 WEST, BOISE MERIDIAN,
KOOTENAI COUNTY, IDAHO, EXCEPT ROAD RIGHT OF WAY CONVEYED TO KOOTENAI COUNTY
BY DEED RECORDED IN BOOK 58 OF DEEDS AT PAGE 815, RECORDS OF KOOTENAI COUNTY,
IDAHO.

T 48 N

R 5 W

S 17

SENE E 1/2 SE

RECEIVED

AUG 28 2002

Department of Water Resources

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantees, that she is the owner in fee simple of said premises; that they are free
from all incumbrances EXCEPT FOR CURRENT TAXES AND EASEMENTS OF RECORD OR IN VIEW.

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated:

Janet L. Ferrari
JANET FERRARI

STATE OF Wa.
County of Thurston }

On this 4th day of October, 1999 before me,
a Notary Public in and for said State,

personally appeared
Janet L. Ferrari known or identified to me to
be the person(s) whose name(s) is/are subscribed to the within
instrument, and acknowledged to me that he executed the same

Deborah Shapiro
Notary Public for:

Residing at: Olympia
Commission Exp: 1-30-03

STATE OF IDAHO, COUNTY OF Kootenai

I hereby certify that this instrument was filed for record at the
request of KOOTENAI COUNTY TITLE CO.

at 40 minutes past 2 o'clock pm.
this OCT 10 1999 day of
19, in my office, and duly recorded in Book
of Deeds at page

SHIRLEY DEITZ

Ex-Officio Recorder

by *Nancy West* Deputy.

Fee \$ 3.00
Mail fee

MICROFILMED

OCT 17 2002

INSTRUMENT NO

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32523/95-2173 Priority Sept. 16, 1965 Amount 0.44 cfs

THIS IS TO CERTIFY, that HENRY A. NOVAK
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 32523/95-2173 issued pursuant to Application for Permit dated September 16, 1965,
and has submitted proof to the Department of Water Administration on September 18, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.56 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Lake Creek

tributary of _____, is hereby confirmed in the following amounts:
Amount 0.44 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.44 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, Twp. 48 N, Rge. 5 W, B.M.

in the county of Kootenai; 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 66 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

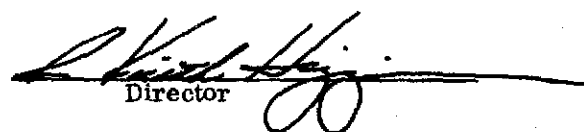
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
48 N	5 W	17				10									12				22

Total number of acres irrigated 22

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 12 day of

April, 19 72.


Director

95 2173

75-3113

4

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40676
PERMIT No. 32523
DISTRICT No.

1. Name of Applicant: Henry A. Novak

Postoffice address: 1412 N. 4th Street / Coeur d'Alene, Idaho County: Kootenai State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.5 cubic feet per second.

3. Source of water supply: Lake Creek which is a tributary of

4. Location of point of diversion: (1 - 2700 feet distant from the NE
(2 - 3600 feet distant from the NE

corner of Section 17, T. 48 N, R. 5 W., B.M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
of section 17, T. 48 N, R. 5 W., B. M., County of Kootenai

5. Water is to be used for Sprinkling (pasture & crops)

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$850.00

8. Kind of works: Pump & pipes & sprinkle system

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 0 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ Henry A. Novak

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. September 16, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32523

Recorded in Book 114 Page 32523 Approved September 22, 1965

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before November 22, 1965 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before September 22, 1966

The whole of said work to be completed on or before September 22, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before September 22, 1967

WITNESS My hand this 22nd day of September, 1965

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, _____ ROBERT E. SMYLIE _____, Governor of the State of Idaho,
and _____ ARNOLD WILLIAMS _____, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 22nd

day of September 19⁶⁵

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor.

REMARKS:

14.

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 $\frac{1}{4}$	
48N	5 W	17				8												17	25

LICENSE ISSUED FOR 0.44 SEC. FT.
 LICENSE PAGE NO. _____

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Coeur d'Alene Press of Coeur d'Alene, Idaho; published in the county in which the works are situated.

Henry A. Norrah
(signature)
1412 N. 4th St
Coeur d'Alene, Idaho
(address)
Aug 7, 1967
(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

32523

RECEIVED
SEP 18 1967

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

September 18, 1967

Notice is hereby given that on September 18, 1967 at Coeur d'Alene,
County of Kootenai, State of Idaho, before notary public (name & address) J. Ray Cox, 516 Sherman Ave., Coeur d'Alene, Idaho, proof will be
submitted of the completion of works for the diversion of 0.5 c.f.s. of the waters
of Lake Creek, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 32523, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Henry A. Novak, 1412 N. 4th
Street, Coeur d'Alene, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
0.5 cubic feet per second.
3. The use to which said water has been applied is sprinkling (pasture and
crops) purposes, and the amount applied to beneficial
use is 0.5 c.f.s.
4. The point of diversion of said water is in 2 points in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17,
T. 48 N, R. 5 W, B.M.
5. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N,
R. 5 W, B.M.
6. The date of priority which said user is prepared to establish is _____
September 16, 1965.

R. KEITH HIGGINSON

State Reclamation Engineer

32523

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO.

County of Kootenai,

ss.

Callie Paintner, being first duly sworn,
deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for *four* consecutive weeks, commencing

on the *23* day of *August*, 196*7*, and ending on the *13* day of *Sept*, 196*7*.

Subscribed and sworn to, before me, this *13* day of *Sept*

196*7*

Callie Paintner
C. Patrick King
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on September 18, 1967 at Coeur d'Alene, County of Kootenai, State of Idaho, before notary public J. Ray Cox, 516 Sherman Ave., Coeur d'Alene Idaho, proof will be submitted of the completion of works for the diversion of 0.5 c.f.s. of the waters of Lake Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 32523, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Henry A. Novak, 1412 N. 4th Street, Coeur d'Alene, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.

3. The use to which said water has been applied is sprinkling (pasture and crops) purposes, and the amount applied to beneficial use is 0.5 c.f.s.

4. The point of diversion of said water is in 2 points in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

6. The date of priority which said user is prepared to establish is September 16, 1965.

R. KEITH HIGGINSON

32523



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 30, 2002

GARY J TREFZ
JENNIFER W TREFZ
18491 S FRANCIS FAIRE RD
WORLEY ID 83876

RE: Change of Ownership for Water Rights 95-2173 and 95-8062

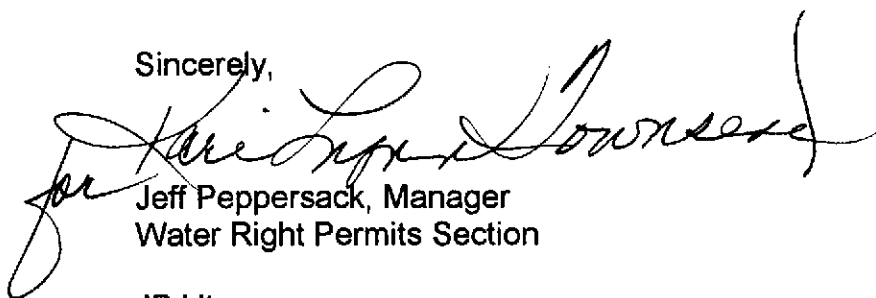
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:kit

Enclosures

MICROFILMED

OCT 17 2002

April 20, 1972

Re: Permit No. 32523/95-2173 - Henry A. Novak

Mr. John D. Hove
8307 W. 117th St.
Inglewood, California 90303

Dear Mr. Hove:

Enclosed herewith is the Water License issued on the above referenced permit.
Also enclosed is departmental receipt No. 8316 in the amount of \$9.00 covering
the licensing fee.

Although this license is not in your name, you control that portion of the license
that covers your land. Please note the limits of the water right.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
Receipt #8316

95 2173

Apr. 17, 1972

John D. Hove
3307 W. 117th St.
Inglewood, Calif.
90303

Bobby D. Fleenor
Assistant Director
State of Idaho
Dept. of Water Administration

Dear Mr. Fleenor:

I received your letter in reference to the water rights on my property.

RE: Permit NO. 32523/95-2173

I am very interested in acquiring the water rights for the property. My Real Estate Agent, Ray Stewart of the Northwest Realty Co. of Coeur d' Alene, Idaho had advised me that the transfer had already been made by his contacting your office.

However please find the enclosed check for \$ 9.00 to cover the permit fee to be transferred to my name.

Respectfully yours

John D. Hove



95 2173

April 13, 1972

Re: Permit No. 32523/95-2173 - Henry Novak

Mr. John D. Hove
2907 W. 117th
Englewood, California

Dear Mr. Hove:

We have been advised by the Kootenai County Assessor's Office that you own land covered under the above referenced permit as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Twp. 48N, Rge. 5W, B.M.

Enclosed you will find a copy of a fee letter which was mailed to the permit holder of record and returned to this office marked "moved, not forwardable". If you are interested in acquiring the water right for this property, please contact this office within the limits of the fee letter.

If you have any questions, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

95 2173

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707

RETURNED TO WRITER
REASON CHECK ONE
Unclaimed
Unknown
Insufficient address
Moved, left no address
No such post office in state
Do not return in this envelope

☒ Moved, left no address
☐ No such number
☒ Moved, not forwardable
☒ Addressee unknown

Henry A. Novak
1412 N. 4th St.
Coeur d'Alene, Idaho 83814

Returned to sender



95 2173

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

April 5, 1972

Mr. Henry A. Novak
1412 N. 4th St.
Coeur d'Alene, Idaho 83814

Dear Mr. Novak:

A representative of this department has made an examination of the works covered by your Permit No. 32523/95-2173 and has found the following:

Quantity of water diverted: 0.56 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.44 cfs

The maximum quantity of water diverted shall not exceed 66 acre feet per season.

Beneficial Use: Irrigation of 22 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ (10), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (12), Sec. 17, Twp. 48 N, Rge. 5 W, B.M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17

The priority date established is : September 16, 1965

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

Bobby D. Fleenor
BOBBY D. FLEENOR
Assistant Director

BDF:DR

95 2173

April 5, 1972

Mr. Henry A. Novak
1412 N. 4th St.
Coeur d'Alene, Idaho 83814

Dear Mr. Novak:

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Beneficial Use: Irrigation of 22 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ (10), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (12), Sec. 17, Twp. 48 N, Rge. 5 W, B.M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 17

The priority date established is : September 16, 1965

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

95 2173

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 32523/95-2173

REPORT ON PROOF OF B/U-Henry A. Novak

Range 5 W

T
O
S
S
-
P
H
8
O
R
T
H



Q measured _____
Q recommended _____
Volume _____
Acreage ▾
 Found _____
 recommended _____
Subdv. _____
Amendments
 ☐ None
 ☐ P.D.
 ☐ State of use
 ☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 32523/95-2173

This proof is for b/u In Water District No.

1. Name of applicant Henry A. Novak, 1412 N. 4th St., Coeur d'Alene, Idaho

2. Source of water supply: Lake Creek

3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 17

T. 48 N R. 5 W County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: pump & pipes & sprinkler system

5. Water is used for: sprinkler

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 48N, R. 5W, Sec. 17 SE 1/4 NE 1/4, NE 1/4 SE 1/4 25 Acres

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: determine the quantity of water actually being put to beneficial use
determine the type, size, and number of nozzles used in the sprinkling system

This examination was made on the day of , 19

(Signed) Examiner.

ASCS : Coeur d'Alene
SCS : Coeur d'Alene

Permit No. 32523/95-2173

Examination for b/u

County Kootenai

Quantity: (permit) 0.5 c.f.s., (proof) same
Sec. 17 T. 48NR. 5W

Source: Lake Creek

P.D.: NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Use: sprinkler

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: September 16, 1965 MADE: September 18, 1967

Due: September 22, 1967 PRIORITY: September 16, 1965

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

December 4, 1970

Re: Permit No. 32523/95-2173 - Henry Novak

C NORTHWEST REAL ESTATE, INC.
1130 North Fourth Street
Coeur d'Alene, Idaho 83814

ATTENTION: Ray Stewart

Dear Mr. Stewart:

O In regard to your letter of December 2, 1970, please be advised that we do not have an interstate compact with the state of Washington. Therefore, we must consider that a stream originating in Washington and entering Idaho is not subject to Idaho priority until it reaches Idaho, and we must further con- sider that the only water available in the stream is that amount that is allowed to enter the state.

P If we may be of any further assistance, please contact us.

Y Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

95 2173



NORTHWEST

REAL ESTATE, INC.

1130 NORTH FOURTH STREET • COEUR D' ALENE, IDAHO • AREA CODE 208-MO 4-8276

December 2, 1970

Mr. Donald McEldowney
Dept. of Water Administration
State House Annex #2
Boise, Idaho 83707

Dear Mr. McEldowney:

RE: Permit #32523/95-2173
Henry Novak

Thank you for your reminder letter of November 30, 1970. I hope the following information completes the processing of the permit.

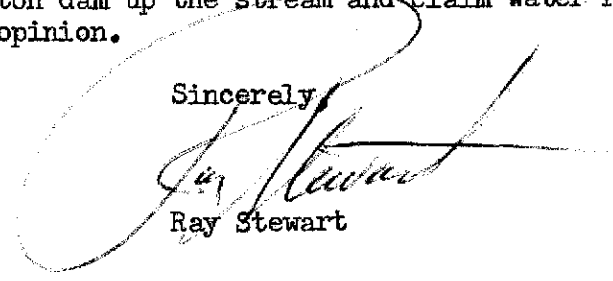
1. Type of sprinkler nozzles - Rainbird #65 P.J.
2. Size of nozzles - 5/16
3. Number of heads in system - 12
4. Operating pressure - 55 lbs.

The system is set up with a 15 HP electric motor which could produce more pressure for a larger system.

I would appreciate your office keeping me informed as to what is the next step.

A new question just came up in regard to someone being able to dam off the creek up stream. The real point is this water right applies to Idaho; how about the water right before the water leaves Washington? Can someone up stream in Washington dam up the stream and claim water rights? I would appreciate your opinion.

Sincerely,


Ray Stewart

RS/cah

95 2173

November 30, 1970

Re: Permit No. 32523/95-2173 - Henry A. Novak

Mr. Ray Stewart
Northwest Real Estate, Inc.
1130 N. 4th Street
Coeur d'Alene, Idaho 83814

Dear Mr. Stewart:

Please find enclosed a copy of our letter of October 21, 1970. As of this date, we have had no response to our inquiries.

Please reply as soon as possible so that we may complete the processing of the above referenced permit.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: copy of letter of October 21, 1970

95 2173

October 21, 1970

Re: Permit No. 95-2173
Dr. Henry Novak

Mr. Ray Stewart
Northwest Real Estate, Inc.
1130 N. 4th Street
Coeur d'Alene, Idaho 83814

Dear Mr. Stewart:

Thank you for your reply to our letter dated December 18, 1969. We appreciate the information you enclosed; however, we still require the type of sprinkler nozzles, the size of the sprinkler nozzles, and the number of heads in your sprinkler system. If possible, give us the average operated pressure of your system.

Your permit has been completed for licensing except for the above-mentioned information. As soon as we are in receipt of this information, we will continue to process the above-referenced permit.

Very truly yours,

James E. Booker
Field Examiner

JEB:mjl

95 2173



NORTHWEST

REAL ESTATE, INC.

1130 NORTH FOURTH STREET • COEUR D'ALENE, IDAHO • AREA CODE 208-MQ 4-8276



October 20, 1970

OCT 21 1970
Department of Water Administration

Donald W. McElDowney
Dept. of Reclamation
Statehouse Annex 2
Boise, Idaho 83707

Dear Mr. McElDowney:

RE: Permit #32523 Dr. Henry Novak 95-2173

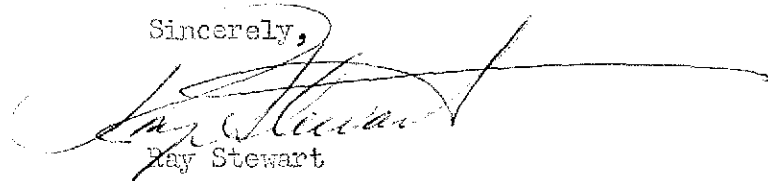
We are still trying to finish up the small details so we can get this water permit issued.

I believe that in our last correspondence you needed the pipe size and number of sprinkler heads. For your file there is 510 feet of 4 inch pipe and 480 feet of 3 inch, 10 feet of drop pipe for pump to creek; 12 sprinkler heads.

Now where do we go from here? After 3 years we should try and get this completed.

Please let me know.

Sincerely,



Ray Stewart

RS/cah

95 2173

Form 23

2M-4-65

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 32523

REPORT ON PROOF OF Completion of Works & Beneficial Use

95-2173
32523

To Spokane
 T-48N
 .56 d.s.
 Recommended .44 d.s.
 Average -
 Found 22
 recommended 22
 Subd.
 Amendments
☒ None
☐ P.D.
☐ Place of use
☐
 Area 22 A
 Subd - 2
 Q =
 To Clum

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 32523

This proof is for C/W & B/U

In Water District No.

1. Name of applicant Henry A. Novak

2. Source of water supply: Lake Creek

3. Location of point of diversion: Is in the 2 points in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17

T. 48 N R. 5 W County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: 5 H.P. SINGLE PHASE WESTINGHOUSE MOTOR; 1750 R.P.M.; 220 VOLT.

EQUIPMENT; BINGHAM 21A R. PUMP - 4" INTAKE LINE SUBMERGED IN LAKE CREEK & CONNECTED TO PUMP INTAKE - SHORT 2" LINE FROM PUMP OUTPUT CONNECTS BY

MEANS OF TRANSITION TO 4" MAIN LINE. SHUT-OFF SWITCH MOUNTED ON OUTPUT LINE CUTS OFF MOTOR AT P.S.I. (40)

5. Water is used for: sprinkling (pasture & crops) 23 ACRES OF WILD HAY & CLOVER

6. State whether or not water has been turned into works of diversion: YES - PUMP SET UP AT P.D. 2 (PUMP MUST BE MOVED TO SPRINKLER 10 AC. FROM P.D. 1)

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

10 ACRES IN SE $\frac{1}{4}$ A, NE $\frac{1}{4}$ A IRRIGATED

12 ACRES IN NE $\frac{1}{4}$ A, SE $\frac{1}{4}$ A

rainbird # 65 5/16" nozzle 12 nozzles @ 55 lbs.

12 x 21 = .56 cfs.
450

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? LAKE CREEK & LAKE COEUR D'ALENE

Remarks:

CONSERVATION MAP & SOIL & CAPABILITY MAP ATTACHED

IRRIGATION REQUIREMENT = 3.5 AC - FT / ACRE / SEASON

This examination was made on the 14 day of NOVEMBER, 1967

(Signed)

W. B. Broadwell

Examiner.

95-3173

32523

1000' OF 3" ALUMINUM COUPLER LINES
500' OF 4" ALUMINUM MAIN LINES
25 SPRINKLER HEADS (MOORE)

Henry A. Novak 5hp single phase motor pump
1412 North 4th Street
Coeur d'Alene, Idaho 4" main line through 3" collateral to sprinkler
Permit No. 32523

Examination for C/W & B/U

County Kootenai

Quantity: 0.5 c.f.s. Sec. 17 T. 48N R. 5W

Source: Lake Creek

P.D.: 2 points in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

Use: sprinkling (pasture & crops)

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: September 16, 1965

Due: September 22, 1967

Made: September 18, 1967

Priority: September 16, 1965

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

June 26, 1970

Re: Permit No. 32523/95-2173

Mr. Richard Maynes
Rathdrum,
Idaho 83858

Dear Mr. Maynes:

As of this date, we have not had a response to our letter of December 19, 1969. Please find enclosed a copy of said letter.

As soon as we are in receipt of the requested information, we will continue to process the above referenced permit.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: copy of letter of December 19, 1969

95-2173

32523

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 19, 1969

Re: Permit No. 32523/95-2173

Mr. Richard Maynes
Rathdrum, Idaho

Dear Mr. Maynes:

We have been informed that you have purchased the property formerly belonging to Mr. Henry Novak. Our examiner made a field examination of this property sometime ago. And we find, that we lack enough information to license the above permit. We should appreciate your informing us as to the type, size and number of nozzles used in your sprinkler system so we can continue processing this permit.

We shall appreciate hearing from you in ten days.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

Enc: none

95-2173

32523

Good letter & ok

over this

To your Sp. 100

about 400

Sp. 5

Sp. 100

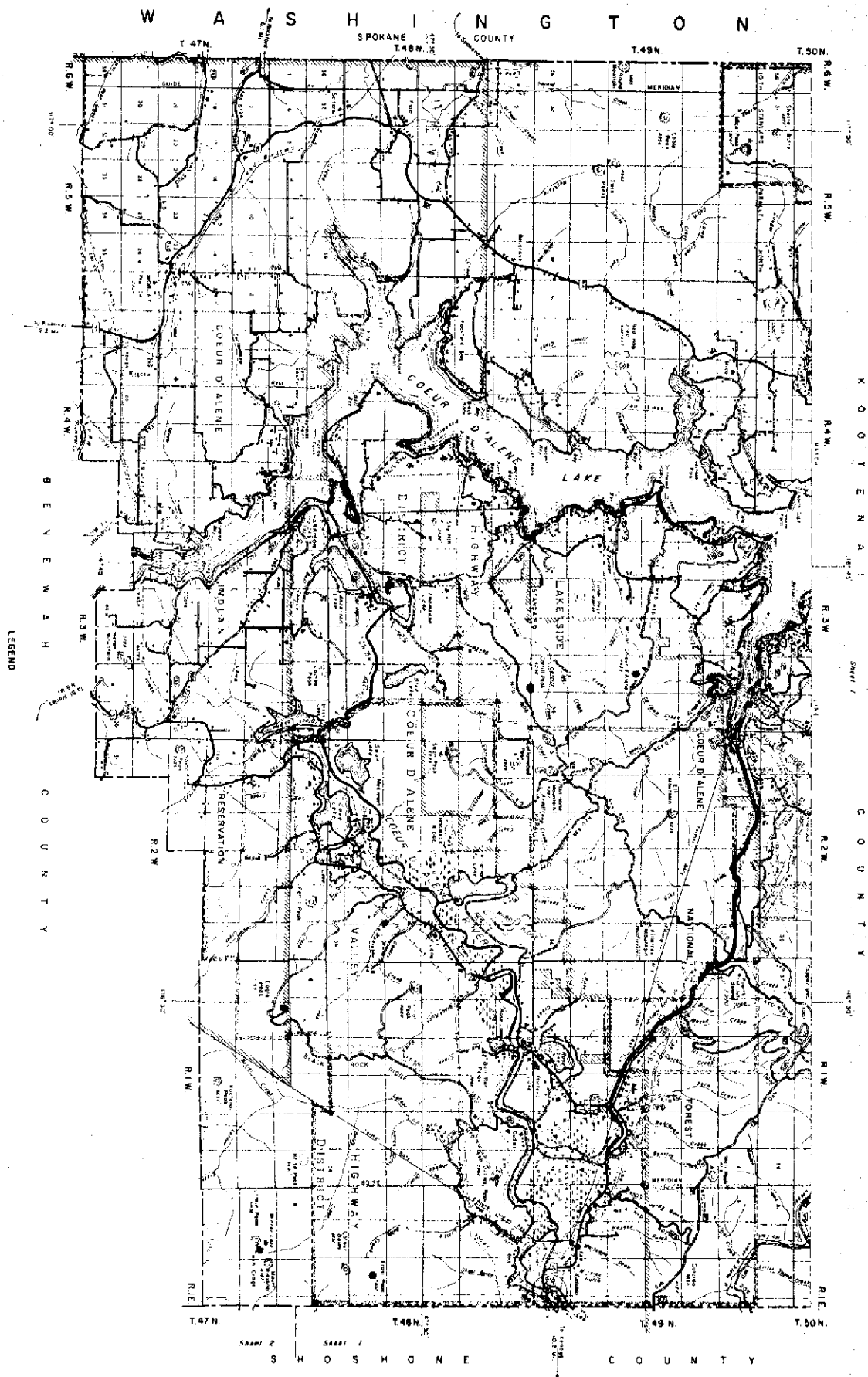
type a new exam -
return as unacceptable
with a copy of our
letter of 12-19-69

type new exam ⁹⁵⁻²¹⁷³
card ³³⁵⁰³

wait on this one until
we receive a response to letter

Revisions	None
Scale	1 inch = 10 miles
Projection	Albers
Source	USGS, 1962

- LEGEND**
- Political**
- State boundary
 - County boundary
 - Indian Reservation boundary
 - Indian Reservation
 - Indian Agency
 - Indian Village
 - Indian School
 - Indian Cemetery
 - Indian Church
 - Indian School
 - Indian Cemetery
 - Indian Church
- Physical**
- Mountain peak
 - Mountain range
 - Mountain ridge
 - Mountain slope
 - Mountain valley
 - Mountain pass
 - Mountain stream
 - Mountain lake
 - Mountain pond
 - Mountain spring
 - Mountain well
 - Mountain cave
 - Mountain mine
 - Mountain quarry
 - Mountain pit
 - Mountain dam
 - Mountain bridge
 - Mountain road
 - Mountain trail
 - Mountain path
 - Mountain fence
 - Mountain wall
 - Mountain gate
 - Mountain gatepost
 - Mountain gate pillar
 - Mountain gate post
 - Mountain gate pillar
 - Mountain gate post
 - Mountain gate pillar
- Infrastructure**
- Highway
 - Interstate
 - State road
 - County road
 - Local road
 - Trail
 - Path
 - Footpath
 - Canal
 - Irrigation ditch
 - Drainage ditch
 - Waterway
 - Stream
 - River
 - Lake
 - Pond
 - Reservoir
 - Dam
 - Lock
 - Boat lift
 - Boat ramp
 - Boat house
 - Boat dock
 - Boat moor
 - Boat slip
 - Boat pier
 - Boat wharf
 - Boat yard
 - Boat shed
 - Boat house
 - Boat dock
 - Boat moor
 - Boat slip
 - Boat pier
 - Boat wharf
 - Boat yard
 - Boat shed
- Other**
- Unimproved road
 - Unimproved trail
 - Unimproved path
 - Unimproved fence
 - Unimproved wall
 - Unimproved gate
 - Unimproved gatepost
 - Unimproved gate pillar
 - Unimproved gate post
 - Unimproved gate pillar
 - Unimproved gate post
 - Unimproved gate pillar



32523

GENERAL HIGHWAY MAP
KOOTENAI COUNTY
IDAHO



95-0173
32523

February 25, 1969

Re: Permit No. 32523

Henry A. Novak
1412 North 4th Street
Coeur d'Alene, Idaho 83814

Dear Mr. Novak:

Regarding Permit No. 32523, please be informed that the department has conducted a field examination. However, before a license and certificate of water right will be issued, the department would like to know what size and type sprinkler nozzles are used.

It was noted that the property was possibly sold in September, 1967, to Mr. Richard Maynes of Rathdrum, Idaho. Enclosed is an assignment form for your use if you wish to assign your right and interest to Mr. Maynes.

Your prompt attention to the above will be appreciated.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj
Enclosure

32523

November 8, 1968

Re: Permit No. 32523
Dr. Henry Novak

Ray Stewart
Northwest Real Estate, Inc.
1130 North Fourth Street
Coeur d'Alene, Idaho 83814

Dear Mr. Stewart:

We are in receipt of your letter of October 14, 1968, concerning the above referenced permit. Please be advised our September 4, 1968, letter referred to a field examination which must be conducted by the Department of Reclamation.

The only similarity to the examination you refer to in your October 14, 1968, letter is that we are verifying the proof submitted by the permit holder during our examination. We will advise the permit holder of record when a field examination can be scheduled.

In order to change the name of the permit holder on Permit No. 32523, it will be necessary for you to submit the assignment forms forwarded in our September 4, 1968, letter. By one means or another, the permit will have to be assigned by Dr. Novak to the present property holder, whether this be Maynes or Hove. However, the chain of title should be complete in the matter.

Please bear in mind that a permit prior to the issuance of a license is personal property and not real property. Only if the permit is mentioned by number does it become part of a land sale. Once a permit is licensed, regardless in which party's name, the water right becomes a real property right and normally remains on the land on which the water is beneficially used.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McElowney
Appropriation Examiner

DWM:dj

32523



NORTHWEST

REAL ESTATE



1130 NORTH FOURTH STREET • COEUR D' ALENE, IDAHO • AREA CODE 208-MO 4-8276

October 14, 1968

RECEIVED

OCT 15 1968

Department of Reclamation

Mr. Donald W. McEldowney
Dept. of Reclamation
107 State House
Boise, Idaho 83701

Dear Mr. McEldowney:

Please refer to letters of September 4, 1968, in reference to Dr. Henry Novak, application for water rights #32523. Somewhere we are off base. According to your recent letter you say that Dr. Novak hadn't completed the sprinkling inspection, this is in question, because I assisted on the inspection and signed paper at Mr. Powells a local attorneys office. In talking to Mr. Powell, he said that all papers were completed and sent to your office.

My main point is that Dr. Novak has sold to a Richard Maynes and in turn, now to a Mr. Hove. We would like to obtain the transfer papers; or how is title passed concerning water rights? Please advise.

Sincerely,

NORTHWEST REAL ESTATE, INC.

Ray Stewart

Ray Stewart

RS/mf

32522

September 27, 1968

Re: Permit No. 32523
Dr. Henry A. Novak and Richard L. Mayne

Ray Stewart
Northwest Real Estate
1130 North 4th Street
Coeur d'Alene, Idaho

Dear Mr. Stewart:

We are in receipt of your letter of September 4, 1968 concerning the above referenced permit. Please accept our apologies as we have apparently not responded to earlier correspondence that you have mentioned. We are, however, unable to locate the copies of this correspondence but the situation does seem somewhat familiar.

Earlier we corresponded with Dr. Novak concerning the required field examination before a license can be issued for the permit. The field examination that is required before a license can be issued must be conducted during the irrigation season. We will make every possible effort to complete the examination during the 1969 irrigation season so that final arrangements can be made for an issuance of the license.

At this time, the change of ownership of permit No. 32523 should be recorded in the form of an assignment in order for the license to be issued to the current owners. We are enclosing an assignment form for your use in this matter.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: assignment form

32523



NORTHWEST

REAL ESTATE

1130 NORTH FOURTH STREET • COEUR D' ALENE, IDAHO • AREA CODE 208-MO 4-8276



September 4, 1968

RECEIVED

SEP 5 1968

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho 83701

Department of Reclamation

Dear Mr. McEldowney:

Our office is representing the buyers of a 120 acre farm previously owned by Richard L. Maynes. In reviewing the papers we were aware of the first water right for subject property on lake-creek permit number 32523 of September 18, 1967. Our records do not show a transfer made as of yet.

I have sent a letter 8 weeks ago to your office concerning this matter of the transfer, but have heard nothing from your office to confirm the transaction. The property water right application was made by a Henry A. Novak on September 16, 1965. Notice was given in the Coeur d' Alene Press of such action and a review was held by attorney J. Ray Cox of Coeur d' Alene. It was our understanding the first water right permit was granted at that time. Mr. Novak was to transfer the water right to Richard L. Maynes.

We would like to have the necessary papers or whatever it takes to bring the title up to date.

I would appreciate your help on this matter. Please advise.

NORTHWEST REAL ESTATE, INC.

Sincerely yours,

Ray Stewart

RS:js

32523

November 28, 1967

Re: Permit No. 32523

Dr. Henry A. Novak
2106 Government Way
Coeur d'Alene, Idaho 83814

Dear Dr. Novak:

When your irrigation system under Permit 32523 was checked, our examiner neglected to include the nozzle size in his report. If you will send us this information, we can advise you of the results of the examination in the near future.

Very truly yours,

Donald J. Watts
Engineer

DJW:dj

32523



5. C DISTRICT AND AGENCIES COOPERATING IN SOIL SURVEY

DATE _____

ACRES

COUNTY

STATE

PHOTO NO.

[illegible]

34993-1439

225



CONSERVATION PLAN MAP
Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

OWNER
OPERATOR

COUNTY

STATE

PHOTO NO.

FARM NO. DATE
SCALE ACRES
APPROXIMATE

S. & DISTRICT



34993-1439

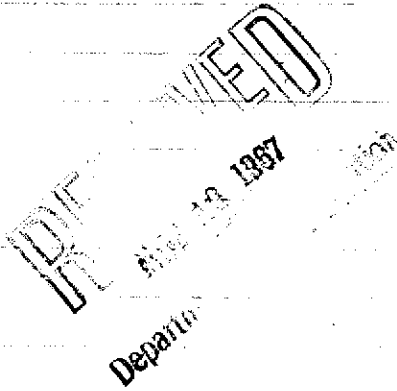
Nov 14, 1967

To MR. STEPHEN ALLRED

UNIT WAS ACTIVATED
AT T.D.#2. 150' OF LINE WAS FILLED &
WORKING & SHUT-OFF PRESSURES WERE NOTED.
PRESSURES DID NOT EXCEED 40 PSI. THE PUMP
& MOTOR FAILED DUE TO POWER (ELECTRICAL)
FAILURE AND DR. NOUAK WAS UNABLE TO START
THE SYSTEM, ^{AGAIN} NO NOZZLE PRESSURES TAKEN.

W. B. BARNHILL

PROPERTY SOLD SEPT 1967 TO: RICHARD MAYNES
GENERAL DELIVERY
FATHRUM IDAHO.



Assuming 100' T.D.H. & 80% EFF with motor output of 5hp

$$Q = \frac{5(550) \cdot 8}{62.4(100)} = .35 \text{ cfs}$$

this would be about 37 psi on 25-3/16 nozzles
and is very likely more than the system
produces. Better not use.

32523

November 8, 1967

Re: Permit No. 32523
Dr. Henry A. Novak

William E. Broadwell
Route 2, Box 199A
Coeur d'Alene, Idaho 83414

Dear Mr. Broadwell:

The enclosed report form, map, and nozzle pressure gauge are sent to enable you to complete the special field examination that Steve Allred discussed with you by phone.

Instructions for completing the report are on the back of the form. If you will get the average nozzle pressures and a description of the type of sprinkler used and nozzle size, the discharge can be computed here.

Dr. Henry A. Novak of 2106 Government Way, Coeur d'Alene is the permit holder and arrangements for the examination should be made with him.

Very truly yours,

Donald J. Watts
Engineer

DJW:dj

Enc: Report form, map, &
nozzle pressure gauge

32523

H. A. NOVAK, M. D.

1412 N. Fourth Street

Coeur d'Alene, Idaho

MO 4-2315

November 1, 1967

Mr. Donald W. McEldowney
Dept. of Reclamation
Boise, Idaho

Dear Mr. McEldowney:

I am writing you regarding Permit No. 32523. According to your letter I had supposed that an inspection of the system would be made before this. The ranch has been sold to Mr. & Mrs. Richard L. Maynes of General Delivery, Rathdrum, Idaho as I have accepted a mission appointment overseas and will be leaving the States shortly.

It would seem to me that the weather conditions hardly warrant seeing the system in action now and I am wondering just what further plans your department will have yet this year in regards to issuing a license of water use. My address for any further correspondence will be 2106 Gov't Way, Coeur d'Alene, Idaho. I had hoped to clear up this matter before I had to leave.

Sincerely,

H. A. Novak 32523

After 5 days, return to
HENRY A. NOYAK, M. D.
1412 No. Fourth Street
COEUR d'ALENE, IDAHO 83814



Mr. Donald W. McEldowney
Dept. of Reclamation
107 State House
Boise, Idaho 83701

October 10, 1967

Re: Permit No. 32523

Henry A. Novak
1412 North 4th Street
Coeur d'Alene, Idaho 83814

Dear Mr. Novak:

We acknowledge receipt of the depositions and affidavit of publication in the
Coeur d'Alene Press submitted as proof of com-
pletion of works and beneficial use on Permit 32523.

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

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:BJ

32523

32523

FRANK H. POWELL
ASSOCIATE COUNSEL

J. RAY COX
ATTORNEY AT LAW
516 SHERMAN AVENUE
COEUR D'ALENE, IDAHO 83814
664-8234
AREA CODE 208

Department of Reclamation

September 19, 1967

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho

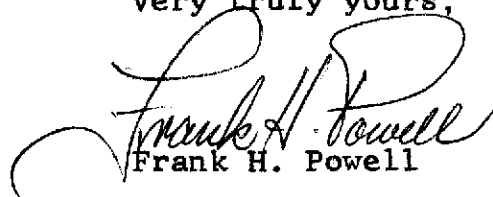
Re: Henry A. Novak; Permit No. 32523

Dear Mr. McEldowney:

Enclosed you will find the Deposition of Holder and
the Depositions of the two witnesses in the above matter.

Please advise if there is anything further we should
do in this matter.

Very truly yours,


Frank H. Powell

FHP:db

encs.

P.S. Enclosed also is the Affidavit of Publication of the
Coeur d'Alene Press of the Notice of Proof of Completion
of Works and Application of Water to Beneficial Use.

FHP

32523

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 32523

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Henry A. Novak, Physician, 1412 N. 4th Street, Coeur d'Alene, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Ques. 3. State number, approval date of permit, and date of priority: #32523,
approved September 22, 1965; Date of priority: September 16, 1965

Ques. 4. State source of water supply: Lake Creek, Kootenai County, Idaho
Give location of point of diversion, showing subdivision, section, township and range

Two points in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N., R. 5 W.B.M.

Ques. 5. Describe your works of diversion: 5 HP single phase motor pump
_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 0.5 c/f/s/ ; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

_____ ; if a well, state depth of well _____ ; depth and size of casing _____ ; depth to water _____ ; if pump is used, state discharge of pump: 0.5 c.f.s. ; tell how it was measured or determined by _____
manufacturer ; if sprinkler irrigation, give number and size sprinkler
of nozzles and operating pressure: 4" main line, through 3" collateral, to/

Ques. 6. State for what purpose water is used: sprinkling pasture and crops
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

17 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 48 N., R. 5 W.B.M.

8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N., R. 5 W.B.M.

32523

State nature of all improvements which have been made as a direct result of said use:
soil improved for pasture and crops

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: July, 1966 - Time used since first use:
July and August, 1967

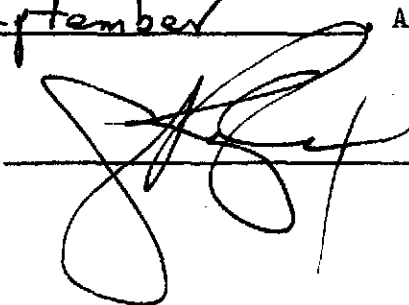
Ques. 10. Describe all other water rights appurtenant to same place of use: None

(sign) Henry A. Nord,

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Coeur d'Alene, County of Kootenai
State of Idaho, on this 18th day of September, A. D. 1967.

My commission expires: 6-2-70



SEP 20 1967
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 32523

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Merrill Ray Stewart, legal age, 1112 Maple Ave., Coeur d'Alene, Idaho

Ques. 2 Are you acquainted with Henry A. Novak, the holder of

Permit No. 32523? How long have you known him and where does he reside? I am acquainted with Mr. Novak. I have known him approximately 8 years. He resides at 1412 N. 4th Street, Coeur d'Alene, Idaho

Ques. 3. Have you read or heard said Permit No. 32523 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Lake Creek, Kootenai County, Idaho

Give location of place of diversion, showing subdivision, section, township and range

Two points, in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N., Range 5 W.B.M.

Describe works for conveying water to place of use: 5 HP single phase motor pump through 4" main line through 3" collateral lines to sprinkler heads.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 0.5 c.f.s. How much water have you seen being so conveyed? approximately that amount

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

17 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 48 N., R. 5 W.B.M.

8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N., R. 5 W.B.M.

32523

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Flat open pasture and crop land with good fertility - unable to
estimate water usage.

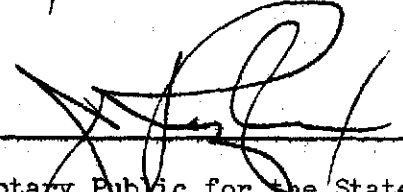
Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? Summer of 1966
Other times you have seen such use: Summer of 1967

(Signed):


I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____

Coeur d'Alene, County of Kootenai, State of Idaho, on
this 18th day of September, A. D. 1967



Notary Public for the State of Idaho
Residing at Coeur d'Alene

My commission expires 6-2-70

32523

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 32523

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

John C. Pointner, legal age, 601 Lakeside Avenue, Coeur d'Alene, Idaho

Ques. 2 Are you acquainted with Henry A. Novak, the holder of

Permit No. 32523? How long have you known him and where does he reside? I am acquainted with Mr. Novak. I have known him approximately 1 year. He resides at 1412 N. 4th Street, Coeur d'Alene, Idaho

Ques. 3. Have you read or heard said Permit No. 32523 read, and are you familiar with its provisions and conditions: Yes Yes No.

Ques. 4. State source of water supply: Lake Creek, Kootenai County, Idaho

Give location of place of diversion, showing subdivision, section, township and range

Two points, in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N., Range 5 W.B.M.

Describe works for conveying water to place of use: 5 HP single phase motor pump through 4" main line through 3" collateral lines to sprinkler heads

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 0.5 c.f.s. How much water have you seen being so conveyed? Approximately that amount

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

17 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 48 N., R. 5 W.B.M.

8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N., R. 5 W.B.M.

32523

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Flat open pasture and crop land with good fertility - unable to estimate water usage.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? Summer of 1966

Other times you have seen such use: Summer of 1967

(Signed):

Jasper Chantre
***** 601 Eskridge Ave
Coeur d'Alene, Idaho

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Coeur d'Alene

_____, County of Kootenai, State of Idaho, on this 18th day of September, A. D. 1967

[Signature]
Notary Public for the State of Idaho
Residing at Coeur d'Alene

My commission expires 6-2-70

32523

J. RAY COX
ATTORNEY AT LAW
516 SHERMAN AVENUE
COEUR D'ALENE, IDAHO 83814

FRANK H. POWELL
ASSOCIATE COUNSEL

664-8234
AREA CODE 208

August 28, 1967

RECEIVED
AUG 30 1967
Department of Reclamation

Mr. Donald W. McEldowney
Water Rights Clerk
Department of Reclamation
107 State House
Boise, Idaho

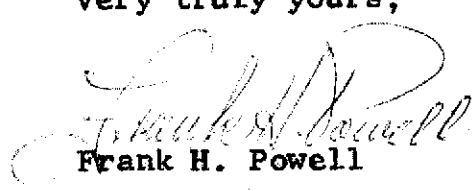
Re: Henry A. Novak; Permit No. 32523

Dear Mr. McEldowney:

Thank you for your letter of August 16, 1967, which shows that the hearing date has been set for September 18th, in regard to Mr. Henry A. Novak's water right.

I have not yet received the form affidavits, so would you please send them to me so we will know what the witnesses are required to testify to.

Very truly yours,


Frank H. Powell

FHP:db

32523

8-30-67
D1

August 16, 1967

Re: Permit No. 32523

Henry A. Novak
1412 North 4th Street
Coeur d'Alene, Idaho 83814

Dear Mr. Novak:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit 32523.

We have mailed the notice to the Coeur d'Alene Press
to be published once a week for four consecutive weeks prior to September 18,
1967, which is the hearing date when the permit holder
Henry A. Novak

and two disinterested witnesses must appear before J. Ray Cox
_____, notary public, to complete the enclosed
depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by Henry A. Novak

_____. Be sure all the forms have the
notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElweeney
Water Rights Clerk

DWM:dj

cc: Notary

Enc: Depositions

32523

August 16, 1967

Re: Permit No. 32523

Coeur d'Alene Press
Coeur d'Alene, Idaho 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to September 18, 1967. The expense of the publication is to paid by Henry A. Novak, 1412 North 4th Street, Coeur d'Alene, Idaho

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Made
32523

J. RAY COX
ATTORNEY AT LAW
516 SHERMAN AVENUE
COEUR D'ALENE, IDAHO 83814
664-8234
AREA CODE 208

RECEIVED
AUG 16 1967

Department of Reclamation

August 14, 1967

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Re: Mr. Henry A. Novak; Permit No. 32523

Attention: R. Keith Higginson

Dear Mr. Higginson:

Enclosed is a Notice of Proof of Completion and the authorization to publish, in the above entitled Application.

I notice that if publication is properly made and 40 days allowed between the date we submit this Notice and the date of the hearing before the Notary, that the final date will be September 23rd, or one day beyond the time allowed by your letter of June 29, 1967, to Mr. Novak.

Would it be possible to have an extension to September 25th, so that all the dates will correspond. I have left the date blank on the Notice and would appreciate it if you would fill in a date which would give us the required 40 days, and a date which you would approve of.

In order to get these notices published on Wednesday, the normal legal notice date of our local newspaper, the Coeur d'Alene Press, we must have the notice to them by Monday morning preceding the Wednesday notice day.

We would appreciate your early attention to this matter.

Very truly yours,

Frank H. Powell
Frank H. Powell

FHP:db

enc.

*Telephone Conversation
8-16-67 - Note sent at
18th Sept 67 before Ray Cox
Dillon*

32523

Re: Permit No. 32523

June 29, 1967

Mr. Henry A. Novak
1412 North 4th St.
Coeur d'Alene, Idaho

Reason for completion of works and application of water to beneficial use for the above referenced permit is due not later than September 22, 1967.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

R. Keith Higgins
State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

32523

September 30, 1965

Re: Permit No. 32523

Mr. Henry A. Novak,
1412 N. 4th Street,
Coeur d'Alene, Idaho.

Dear Mr. Novak:

We enclose Permit No. 32523 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32922 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

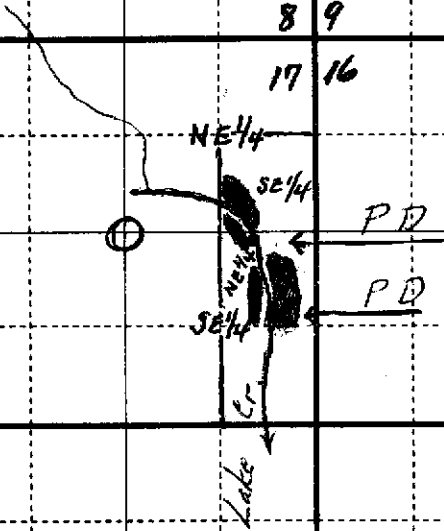
(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32523

48N 5W SECTION 17

8 9
17 16



APPROXIMATELY 8 ACRES IN
SE 1/4 NE 1/4 &
17 ACRES IN NE 1/4 SE 1/4
TOTAL 25 ACRES

1st DOT REPRESENTS (FIRST) POINT OF DIVERSION
APPROXIMATELY 2700 FT FROM NE CORNER
OF SECTION 17
2ND DOT - (SECOND) POINT 3600 FT FROM NE CORNER
OF SECTION 17

NOTE: THE DOTS REPRESENT THE LOCATIONS
OF THE PUMP WHICH WILL BE
MOVEABLE.

Permit Map No. 32523
As Approved
CARL E. TAPPAN SEP 22 1965
State Reclamation Engineer

NOTICE OF PROOF OF COM-
PLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that on September 18, 1967 at Coeur d'Alene, County of Kootenai, State of Idaho, before notary public J. Ray Cox, 516 Sherman Ave., Coeur d'Alene Idaho, proof will be submitted of the completion of works for the diversion of 0.5 c.f.s. of the waters of Lake Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 32523, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Henry A. Novak, 1412 N. 4th Street, Coeur d'Alene, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.

3. The use to which said water has been applied is sprinkling (pasture and crops) purposes, and the amount applied to beneficial use is 0.5 c.f.s.

4. The point of diversion of said water is in 2 points in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

5. The place where said water is used is SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 48 N, R. 5 W, B.M.

6. The date of priority which said user is prepared to establish is September 16, 1965.

R. KETTERSON

State Reclamation Engineer

Aug. 23, 30, Sept. 6, 13, 1967