

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO,

County of Kootenai,

ss.

Callie Painter

Department of Water Administration

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

Notice of Existing Water Permit

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

on the *3* day of *December*, 19*70*, and ending on the *10* day of *December*, 19*70*.

Callie Painter

Subscribed and sworn to, before me, this *10* day of *December*

19*70*

E. Patrick King

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Howard C. Beighle, 412 - 160 Ave. S.E., Bellevue, Washington, has received an approved Permit No. 29301/95-2138 issued by the Idaho Department of Water Administration authorizing the diversion of .06 cubic feet per second of water from three unnamed springs. The priority to be established under this permit is January 9, 1961 and the permit was approved January 19, 1961.

Water is to be diverted by portable sprinkler system from a point within the N½NE¼ Sec. 25, T. 52N, R. 4W, B.M., Kootenai County, to be used for irrigation and domestic purposes in the N½NE¼ Sec. 25, T. 52N, R. 4W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before January 19, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director Idaho Dept.
of Water Administration

STATEHOUSE, Boise, Idaho

December 3, 10, 1970.

95-2138

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

APPLICATION No. 37285
PERMIT No. 29301
DISTRICT No.

1. Name of Applicant: Howard C. Beighle
412 - 160 Ave. S.E.
Postoffice address: Bellevue

County: King

State: Washington

- 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: 0.6 cubic feet per second.

3. Source of water supply: Three Unnamed Streams from springs which is a tributary of Sinks

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the N $\frac{1}{2}$ NE $\frac{1}{4}$
of section 25 , T. 52 N , R. 4 W , B. M., County of Kootenai

5. Water is to be used for Irrigation and domestic .06 cfs: -domestic .54 c.f.s. irrigation

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: \$ 2000

8. Kind of works: Portable sprinkler 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 4" inches; length of conduit miles.

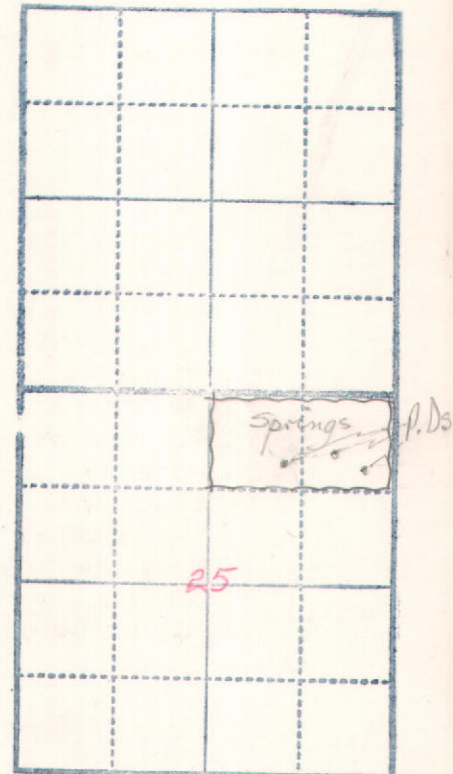
Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 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



R 4W

95 2138

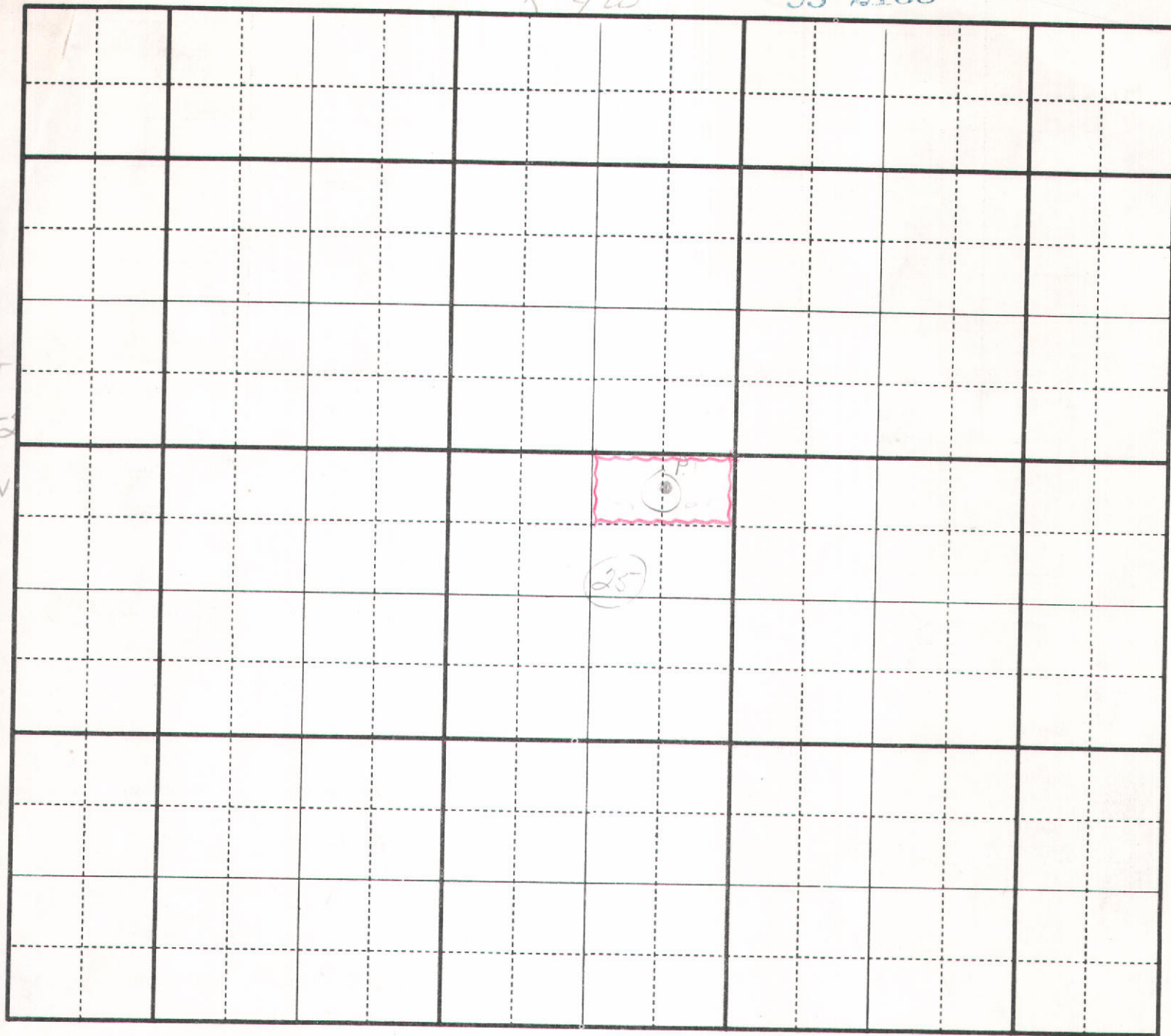
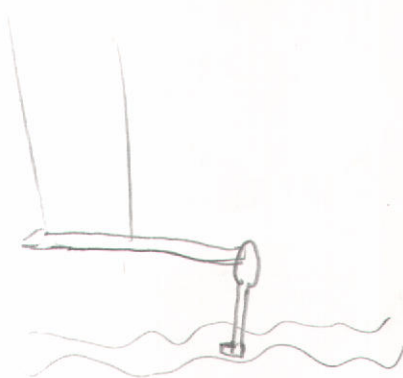


Diagram of System



DATE

EXAMINATION RECORDS

_____	_____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____ by: _____
_____	_____
_____	_____ by: _____

G7'

G7

388A
A16

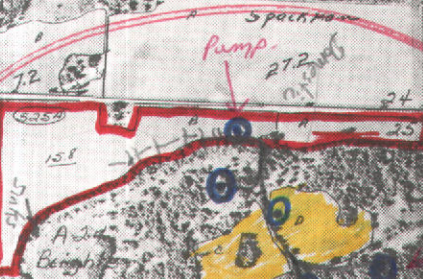
387A

386A

26.3

30.6

97.4



95-2138
Howard Beigle

 Flood
Irrigated
 irrigated
by sprinklers

95-2138

October 5, 1961

Re: Permit No. 29301

Howard C. Beighle
412 - 160 Avenue S. E.
Bellevue, Washington

Dear Mr. Beighle:

Enclosed is Form 3, Application for Permit to divert subterranean water with instructions, requested in your letter of September 30th.

This office has no information in regard to a water right from a spring in the N¹/₂NE¹/₄, Sec. 25, T. 52 N., R. 4 W., B. M. If one of your neighbors has such a right, we do not know the use to which he has applied the water, though he could probably use it for any beneficial use.

You may obtain a permit to divert subterranean water by filing an application on the enclosed form.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

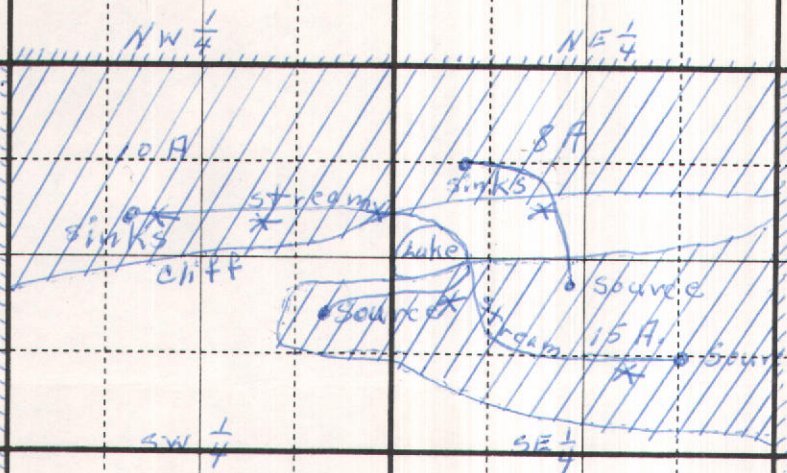
RT:ew

Enc. Form 3 with instructions

29301

Howard C. Beighle

NE 1/4 Sec. 25, T. 52, R. 4 W. B. M.



23 Acres irrigated in the NE 1/4

10 Acres irrigated in the NW 1/4

** Diversion points or pumping points.*

Woodlands

Woodlands

Proposed irrigated area in the NE 1/4 of s. 25, T. 52, R. 4 W. B. M. Bellevue, Washington January 6, 1961 Scale - 1 inch = 660 feet

Permit Map No. 29301

As Approved

GEO. N. CARTER

Reclamation Engineer

JAN 16 1961

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 29301/95-2138 Priority Jan. 9, 1961 Amount 0.27 cfs

THIS IS TO CERTIFY, that HOWARD C. BEIGHLE
of Hayden Lake, Idaho, has complied with the terms and conditions of Permit
No. 29301/95-2138 issued pursuant to Application for Permit dated January 9, 1961,
and has submitted proof to the Department of Water Administration on December 10, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.27 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from three unnamed springs
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.27 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount 0.03 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)

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

Subject, however, to the condition that no more than 0.27 cfs of water be diverted at
any one time, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ (2 points) Sec. 25 and

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, Twp. 52 N, Rge. 4 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 115 acre feet per year or _____

3.5 acre feet per acre. for irrigation use and 1.2 acre feet per year for
domestic use with the total amount not to exceed 116.2 acre feet per year.

Description and location of place of use:

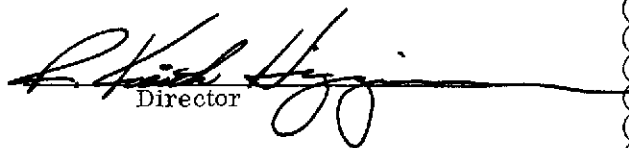
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
52N	4W	25	21	12															33
		25		X	(domestic)														

Total number of acres irrigated 33

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 26th day of

July, 19 73.


Director

95 2138

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 29301/95-2138)
in the name of HOWARD C. BEIGHLE) ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

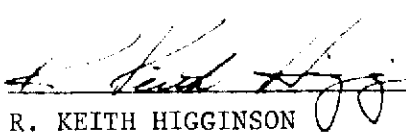
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 29301 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 3 day of November, 1970.


R. KEITH HIGGINSON
Director

35 2138

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO,

County of Kootenai, } ss.

Callie Painter

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

Notice of Existing Water Permit

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

on the *23* day of *December*, 19*70*, and ending on the *10* day of *December*, 19*70*

Callie Painter

Subscribed and sworn to, before me, this *10* day of *December*

19*70*

Patrick King

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Howard C. Beighle, 412 - 160 Ave. S.E., Bellevue, Washington, has received an approved Permit No. 29301/95-2138 issued by the Idaho Department of Water Administration authorizing the diversion of .06 cubic feet per second of water from three unnamed springs. The priority to be established under this permit is January 9, 1961 and the permit was approved January 19, 1961.

Water is to be diverted by portable sprinkler system from a point within the N $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, T. 52N, R. 4W, B.M., Kootenai County, to be used for irrigation and domestic purposes in the N $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 25, T. 52N, R. 4W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before January 19, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director Idaho Dept.

of Water Administration
STATEHOUSE, Boise, Idaho

December 3, 1970.

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

95-2138

APPLICATION No. 37285
PERMIT No. 29301
DISTRICT No.

1. Name of Applicant: Howard C. Beighle
412 - 160 Ave. S.E.
Postoffice address: Bellevue

County: King

State: Washington

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: 0.6

cubic feet per second.

3. Source of water supply: Three Unnamed Streams from springs which is a tributary of Sinks

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the N $\frac{1}{2}$ NE $\frac{1}{4}$
of section 25 , T. 52 N , R. 4 W , B. M., County of Kootenai

5. Water is to be used for Irrigation and domestic .06 cfs: -domestic .54 c.f.s. irrigation

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: \$2000

8. Kind of works: Portable sprinkler 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 feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe 4" inches; length of conduit miles.

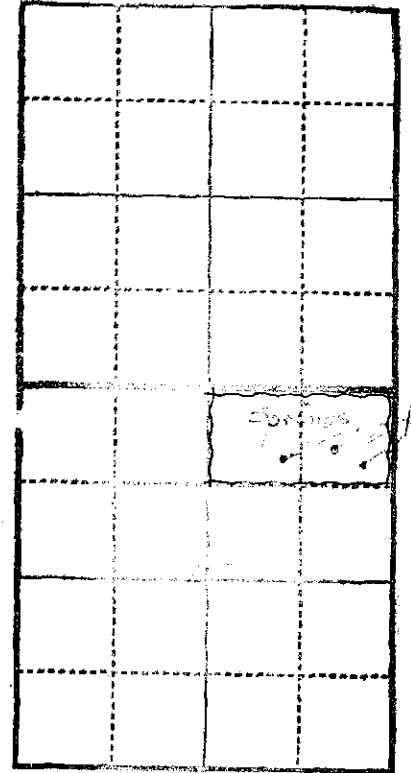
Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 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/ Howard C. Beighle

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. January 9, 1961

Returned to applicant for correction: January 10, 1961

Corrected application received: January 16, 1961

Approval of State Reclamation Engineer

The number of this permit is 29301

Recorded in Book 103 Page 29031 Approved January 19, 1961

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 March 19, 1961 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 **July 19, 1963**

The whole of said work to be completed on or before **January 19, 1966**

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 19, 1972**

WITNESS My hand this 19th day of January, 1961

s/ GEO. N. CARTER

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.....19th.....

day of January 19 61

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 $\frac{1}{4}$	
52 N	4 WBM	25	21	12	Permit No. 29301 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that HOWARD C. BEIGHLE of Bellevue, County of King, and State of Washington, the holder of Permit No. 29301, issued upon Application No. 39285 bearing date of priority of January 9, 1961, authorizing the diversion of 0.6 second feet of waters of 3 unnamed streams from springs County of Kootenai State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.6 second feet of the waters of 3 unnamed streams from springs; that the point of diversion of said waters N$\frac{1}{2}$NE$\frac{1}{4}$, Sec. 25, T. 52 N., R. 4 W., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: N$\frac{1}{2}$NE$\frac{1}{4}$, Sec. 25, T. 52 N., R. 4 W., B.M. Witness my hand this 6th day of January, A.D. 1966 /s/ RALPH W. THOMAS Deputy State Reclamation Engineer Proof of Completion of Works Made: December 31, 1965												33 A.		

Peppersack, Jeff

From: Peppersack, Jeff
Sent: Tuesday, October 01, 2002 12:12 PM
To: 'RAN9778@aol.com'
Subject: RE: (no subject)

Without a lot of detail, it is hard to answer your question except in a general sense. Water rights are delivered on a priority basis in times of shortage. The senior rights should get the water first if there isn't enough water to satisfy all valid rights on a stream. A change in point of diversion for a valid right generally requires a transfer to be approved by the department. If the change involved the use of additional water, an application for permit would be required. If there are trespass/easement issues, legal review by an attorney may be necessary.

A search of recorded water rights with a point of diversion in 52N 4W Sec. 25 with a source of springs turned up no results except for 95-2138.

You are encouraged to continue work with our Northern Region office in Coeur d'Alene, since staff in the regional office have the best information regarding local water right issues.

Jeff Peppersack, Manager
Water Right Permits Section
208-327-7940

-----Original Message-----

From: RAN9778@aol.com [mailto:RAN9778@aol.com]
Sent: Saturday, September 28, 2002 8:03 AM
To: jpeppers@idwr.state.id.us
Subject: (no subject)

I am the owner of property in northern Idaho with a license of water right no. 29301-95-2138 which is dated Jan. 9, 1961. The springs from which the waters flow used to come out of the ground, flow down a stream, over a water fall, continuing down along the stream and into a hole in the ground all on my property. My neighbors have been taking water from the stream but rather than take the time to clean out their intake box they have gone to the top of the falls and blocked the water from coming over with a small dam. This has stopped the water from continuing downstream.

I would like to know what are my rights as a property owner to keep them from interfering by diverting my stream which makes it difficult if not impossible to irrigate. I am also concerned that the stream bed will fill in with vegetation and the trees along my field will die from lack of water. I have contacted Al Beardsley in the Couer d'Alene office and he thought there was plenty of water and questioned why I would care if it continued its original course. His suggestion to keep my upper field from being saturated was to put a french drain around the field. Is there another person to whom I could speak regarding this situation?

I have been told that my neighbors have filed for a water right on my stream and would like to be notified of such a filing.

July 26, 1973

Re: Permit No. 29301/95-2138

Mr. Howard C. Beighle
Route 1, Box 308
Hayden Lake, Idaho 83835

Dear Mr. Beighle:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

MEMO

TO: Darlene
FROM: Fred
DATE: July 24, 1973
SUBJECT: Permit No. 95-2138

Mr. Beighle was in our office concerning the letter he received about an amendment.

From his statement and my observation, I don't believe there is an amendment required. We are returning the amendment so that you may issue the license.

July 20, 1973

Mr. Howard C. Beighle
Route 1, Box 308
Hayden Lake, Idaho 83835

Dear Mr. Beighle:

A representative of this department has made an examination of the works covered by your Permit No. 29301/95-2138 and has found the following:

Quantity of water diverted: 0.27 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.27 cfs

The maximum quantity of water diverted shall not exceed 116.2 acre feet per season.

Beneficial Use: Irrigation of 33 acres within the N1/2NE1/4, Sec. 25; and domestic purposes within the NW1/4NE1/4, Sec. 25, Twp. 52N, Rge. 4 W, B.M.

Point of diversion: NE1/4NE1/4 (2 points) Sec. 25 and NW1/4NE1/4 Sec. 25, Twp. 52 N, Rge. 4 W, B.M.

The priority date established is: January 9, 1961

The lands being found by our field examiners differ from those lands listed in your permit, therefore, it will be necessary for you to amend the permit before a Water License can be issued. We are enclosing a partially completed application for amendment for your use. Please sign the application and return it to this office with a \$10 filing fee within 10 days of the date of this letter in order that we may issue a water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 10 day period.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR/bjg

Enclosures

6 2128

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

5. Location of Point(s) of Diversion:

Other Points of Diversions: _____

Description of diverting works: 400' of 8" underground culvert - open ditch - 500' of 4" transite pipe - water is pumped from barrel in stream by 5 HP motor

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

33

Permit No. 95-2138
Examination for Beneficial Use

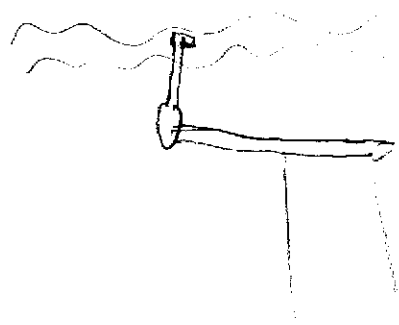
EXAMINATION RECORDS

24

—:ΛC—

—:ΛC

Diagram of System



95 2438

67'

67

26.3

30.6

97.4

A16

3470

3470

Sprinkler
Pump
21200
ft

A24
Burg

95-2138
Howard Beigle

□ Flood
Irrigated
□ irrigated
by sprinkles

95-2138

DATE OF EXAM 8/8/72

ACREAGE

Found 33
Recommended 33

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = .24 c.f.s. V = 43.23 AF/Ann. from 6/1 to 8/30
Domestic Q = .03 c.f.s. V = 1.65 AF/Ann. from 1/1 to 12/31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
44.88

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured .27 cfs Method of measurement _____

Total Q recommended .27 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 44.88

Recommended Amendments:

P.D. None
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

16 sprinklers 5/32" x 3/32" @ 50 lbs
6.84 gal/min/nozzle x 16 nozzles = .24 cfs plus .03 domestic = .27 cfs
44.88

SYSTEM DESCRIPTION:

16 sprinklers 5/32" x 3/32" 50 lbs
Century Motor Pump
5 HP Ser. 51328
Sec. 4A1736 3" intake 3" discharge

REMARKS:

Source of water comes from 3 unnamed springs. 2 springs are located in the NENE Sec 25 and 1 spring located in the NWNE Sec. 7. These springs are collected and are diverted by pump & motor for sprinkler operation of 21 acres. The springs located in the NENE Sec. 25 are also used for flood irrigation of 12 acres. The springs are also used to supply domestic water for 1 household with lawn irrigation of .3 acres.
Examiner's Signature Paul E. [Signature] Date 8/8/72

Checked by _____ Date _____

Approved by _____ Date _____

December 16, 1971

Re: Permit No. 29301/95-2138

Mr. Howard C. Beighle
Route 1, Box 308
Hayden Lake, Idaho 83835

Dear Mr. Beighle:

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

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

95 2138

Identification No. _____

Permit No. 95-2138

RECEIVED
DEC 20 1971
Department of Water Administration

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Howard C. Beighle
- b) Post Office Address Route #1 Box 308 Hayden Lake, Idaho
2. Permit Number 29301 (New No. 95-2138)
3. Date of Priority that you are prepared to establish January 6, 1966
4. a) Source from which water was appropriated 3 unnamed streams - from springs
- b) Location of the point of diversion: N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 25
Township 52N, Range 4W Boise Meridian, Other points of diversion: Water pumped from small stream located as above

5. a) The amount of water and use to which the water has been applied:
amount 0.6 for irrigation purposes from June 1 to August 30 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
- b) Total amount appropriated 0.6 cfs and/or acre feet per annum
- c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: A weir was constructed under the direction of the Soil Conservation Service.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Permit holder is owner. Springs rise and sink on property described above. Water is pumped from the stream bed.
b) Describe the agreement or understanding by which you take water from the works: None

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 400' of 8" underground culvert - open ditch - 500' of 4" transite pipe - Water is pumped from barrel in stream by 5 hp motor.
- b) Describe the type and size of measuring device which you have installed at your point of diversion: Water is pumped from stream. Since no owners are below the diversion point all the water is pumped for irrigation. The stream sinks about 400 yards from the pumping station.
- c) Give well drillers name and address and date the well was completed None

Exam. Typed
3/13/73
C.S.

95 2138

My commission expires 10-10-73

Notary Public residing at Hayden Lake, Idaho

On this 9th day of December, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she/they) executed the same.

State of Idaho)
County of Kootenai) ss.

(Date)

December 9 1971

(Signature)

Edward O. F. [Signature]

The above information is a true statement of the extent to which the above numbered permit has been developed.

10. Remarks: Irrigation is by means of 1030' of movable pipe and 5 hp motor.
Total number of acres irrigated 18

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
	52	4W	25	8	10														18

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: 18 acres of NE 1/4 sec 25 T 52 N R 4 W B.M.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use domestic use - Home on property as above.

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

23136

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

95 2138

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

3



POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



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



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to
restrict delivery, or to have the address of delivery
shown on this receipt, check block(s) on other side.
Moisten gummed ends and attach this card to back of
article.

RETURN
TO



DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83702

October 29, 1971

CERTIFIED MAIL #23136

Re: Permit No. 29301/95-2138

Howard C. Beighle
412 - 160 Ave. S. E.
Bellevue, Washington

Dear Mr. Beighle:

One of the conditions of approval of your water Permit No. 29301/95-2138 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 19, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

95 2138

January 7, 1971

Re: Permit No. 29301/95-2138

Mr. Howard C. Beighle
412 - 160 Ave. SE
Bellevue, Washington

Dear Mr. Beighle:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Proof of beneficial use of the water is not required until January 19, 1972. We wish to advise you, however, that if you have fulfilled the requirements under your permit you may submit proof at any time prior to the above date. We are enclosing a beneficial use form and set of instructions for your use in this matter.

If you have any questions, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: beneficial use form
set of instructions

95 2138

Bellevue, Wash.,

RECEIVED

Jan. 3, 1971

State of Idaho

Department of Water Administration

Gentlemen;

What do you need of
proof of beneficial use of this
water supply?

Sincerely,
Howard P. Beyle

November 23, 1970

Re: Permit No. 29301/95-2138

Mr. Howard C. Beighle
412 - 160 Avenue S. E.
Bellevue, Washington

Dear Mr. Beighle:

The legal notice for the above-referenced permit is being published in the

~~Coeur d'Alene Press, Coeur d'Alene, Id.~~ on December 3,
and December 10, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

95 2138

November 23, 1970

Re: Permit No. 29301/95-2138

The Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Idaho 83814

Gentlemen:

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

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

The expense of the publication is to be paid by Howard C. Beighle, Bellevue, Washington, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

95 2138

NOTICE OF EXISTING WATER PERMIT

NOV 29 1970

Notice is hereby given that Howard C. Beighle, 412 - 160 Ave. S.E.,
Bellevue, Washington, has received an approved Permit No.

29301/95-2138 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 0.6 cubic feet per second ~~6666/6666~~
~~per/annum~~ of water from three unnamed springs.

The priority to be established under this permit is January 9, 1961
 and the permit was approved January 19, 1961.

Water is to be diverted by portable sprinkler system
 from a point within the N₂NE₄ Sec. 25, T. 52N, R. 4W, B.M., Kootenai County,

to be used for irrigation and domestic purposes
 in the N₂NE₄ Sec. 25, T. 52N, R. 4W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before January 19, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
 Idaho Dept. of Water Administration
 STATEHOUSE, Boise, Idaho

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho,
 on December 3, and December 10, 1970.

Permit No. 29301/95-2138

Director:

You are hereby authorized to have the above 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.

Howard C. Beighle
 (Signature)

412 160 Ave S.E.
 (Address)

Nov 18, 1970
 (Date)

Bellevue, Washington

November 10, 1970

Re: Permit No. 29301 (New No. 95-2138)

Mr. Howard C. Beighle
412 - 160 Ave. S.E.
Bellevue, Washington

Dear Mr. Beighle:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Order

Advertising package

95 2138

January 6, 1966

RE: Permit No. 29301

Howard C. Beighle
412 160 Avenue S
Bellevue, Washington

Dear Mr. Beighle:

Enclosed is the Certificate of Completion of Works on
the above numbered permit.

Also enclosed is departmental receipt No. 33063 in the
amount of \$5.00 covering the fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certificate, receipt

29301

Permit No. 29301STATE OF IDAHO
Department of ReclamationRECEIVED
JAN 5 1966

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Kootenai

SS.

Howard C. Beighle, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 29301, and that his postoffice address is 412 140 Ave. S.E. Bellevue State of Washington.Second: That the name of the stream from which said water is to be diverted is this is a spring which rises on my farm and does not flow beyond its boundaries.Third: That the point of diversion of said water is N $\frac{1}{2}$ & NE $\frac{1}{4}$ of section 25 township 52N range 4W B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 19, 1966.Fifth: That the use for which said water is intended is irrigation.Sixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of Works: underground pipe - 800' of 4" pipe - ditched and closing installed pump - 420' of movable pipe - 3" - 620' of movable 2" pipeII. Dimensions of work: (a) Height of dam None feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir None acre feet.(c) Size of headgate: Width None feet, height _____ feet.(d) Conduit Ditch width at bottom 2' feet, width at water line 3' feet, depth of water 4" feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is 8 miles.

(STATE WHETHER DITCH, FLUME OR PIPE)

Seventh: That said works are capable of conducting to the place of intended use 6 cubic second feet of water.Eighth: That water appropriated under said permit is available for 20 acres of land described as follows: N $\frac{1}{2}$ - NE $\frac{1}{4}$ of section 25 township 52N range 4W B.M.Ninth: Remarks:—That the work is substantially complete as outlined in the original request. An alternate plan is under consideration whereby a lateral ditch would be dug to drain a swampy area into the spring. This has not been fully approved by the Soil Conservation Service

(SIGN HERE)

Subscribed and sworn to before me this 31 day of December, 1965William H. Richert
NOTARY PUBLICMy commission expires Oct 12, 1969

27301

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho

Nov. 1, 1965

Re: Permit 29301

Howard C. Beighle
412 160 Ave S. E.
Bellevue, Washington

Dear Mr. Beighle:

Under the terms of your Permit No. 29301 you are required to complete your diversion works on or before Jan. 19, 1966. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,



State Reclamation Engineer

Enc. Form 6

2 7361

October 5, 1961

Re: Permit No. 29301

Howard C. Beighle
412 - 160 Avenue S. E.
Bellevue, Washington

Dear Mr. Beighle:

Enclosed is Form 3, Application for Permit to divert subterranean water with instructions, requested in your letter of September 30th.

This office has no information in regard to a water right from a spring in the N^W 1/4, Sec. 25, T. 52 N., R. 4 W., B. M. If one of your neighbors has such a right, we do not know the use to which he has applied the water, though he could probably use it for any beneficial use.

You may obtain a permit to divert subterranean water by filing an application on the enclosed form.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Form 3 with instructions

29301

412 160 ave. S. E.
Bellevue, Washington
September 30, 1961

RECEIVED

OCT 5 1961

Department of Reclamation

George N. Carter
State Reclamation Engineer
Boise, Idaho
Dear Mr. Carter,

Last year I received a permit to irrigate under application No. 37285. This irrigative system has been put in operation on part of the land. I need to know answers to two questions before completing the system.

One party has a water right to a spring on my property. Can he use this water for the purpose of irrigation?

Do I need a permit to drill a well on my place, and if I do need a permit how do I get one?

Sincerely,

Howard P. Leighle

Permit 29301
N²NE 25-52N 4W

29301

January 26, 1961

Re: Permit No. 29301

Mr. Howard C. Beighle,
412 - 160 Ave., S. E.
Bellevue, Washington.

Dear Mr. Beighle:

We enclose Permit No. 29301 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. 30413, which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit, was sent to you with our letter of January 10, 1961.

Very truly yours,

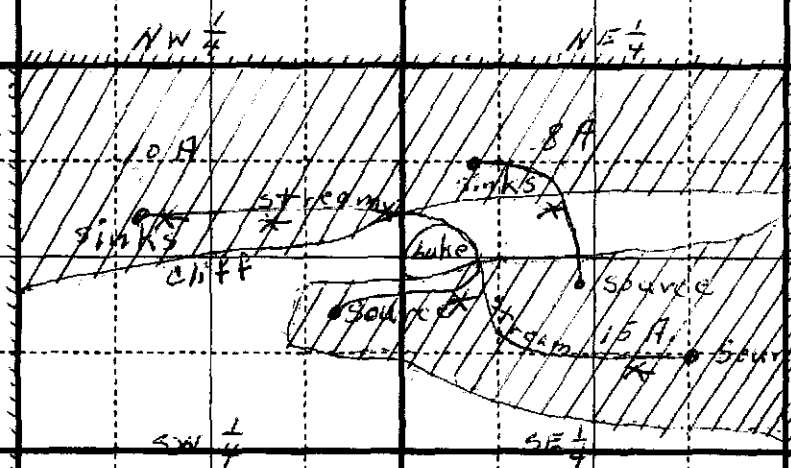
GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

29301

H. C. Biggle

NE $\frac{1}{4}$ Sec. 35, T. 52, R. 4 W.B.M.23 Acres irrigated in the NE $\frac{1}{4}$ 10 Acres irrigated in the NW $\frac{1}{4}$

Source of spring

* Diversion points or pumping points.

Woodlands

Woodlands

Proposed irrigated area in the NE $\frac{1}{4}$
 of S 35, T 52, R 4 W.B.M.
 Bellevue, Washington
 January 6, 1961
 Scale = 1 inch = 660 feet

Permit Map No. 29301

As Approved

GEO. N. CARTER

Reclamation Engineer

JAN 16 1961

412 160 ave. S. E.
Bellevue, Washington
January 12, 1961

RECEIVED
JAN 1 6 1961
Department of Reclamation

Geo. W. Carter
State Reclamation Engineer
Dear Sir,

I thank you for your letter setting forth the corrections to be made in application No. 37285

The existing water rights under 15 applies to adjacent property so number 15 is marked none. A title search has revealed no valid claims to this source of water for this property.

Under "Remarks" it was indicated that there were three sources of springs. This is a swampy area and the water flows from the three areas indicated.

If any further corrections or any additional information is needed please advise me.

Very truly yours,
Howard C. Beighle

January 10, 1961

RE: Application No. 37285

Howard C. Beighle
412 160 Avenue S E
Bellevue, Washington

Dear Mr. Beighle:

Returned herewith is your application for permit with attached receipt No. 30413 for \$5.00 filing fees.

There are a number of pencil changes. The quantity of water has been changed to 0.6 cubic foot per second as you show 3/50 domestic and 22/50 irrigation under 5. The map shows you will divert water from various places in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of the section, and 4 has been changed accordingly. You did not answer 7. Answer to 8 is description of the works of diversion and application of the water. Show size of pipe under 11. Under 15 you indicate that the water right is for adjacent land and not for land described in this application. If that is true the four lines of description would be deleted.

Under 14 you show land in all quarters of the NE $\frac{1}{4}$ and the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 25. Your map indicates the land is all in the N $\frac{1}{2}$ NE $\frac{1}{4}$, and the correction has been shown in pencil.

Under "Remarks" you indicate there is only one spring, however your map shows three sources of water which we assume are three separate springs. Most of the remarks made here will be deleted from the application as not being pertinent.

Kindly check, correct as necessary and return at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr
Enc. application, receipt

29301