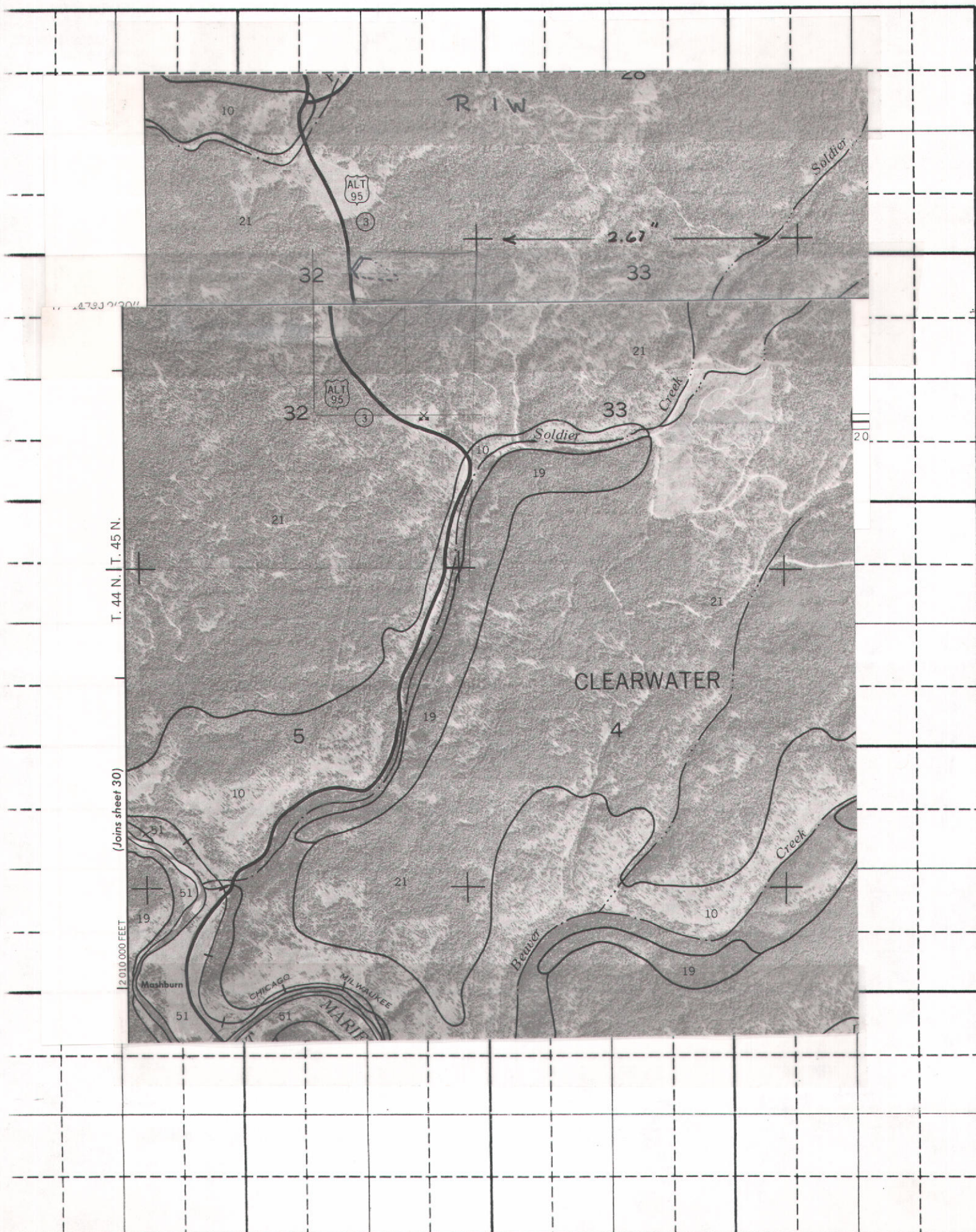


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



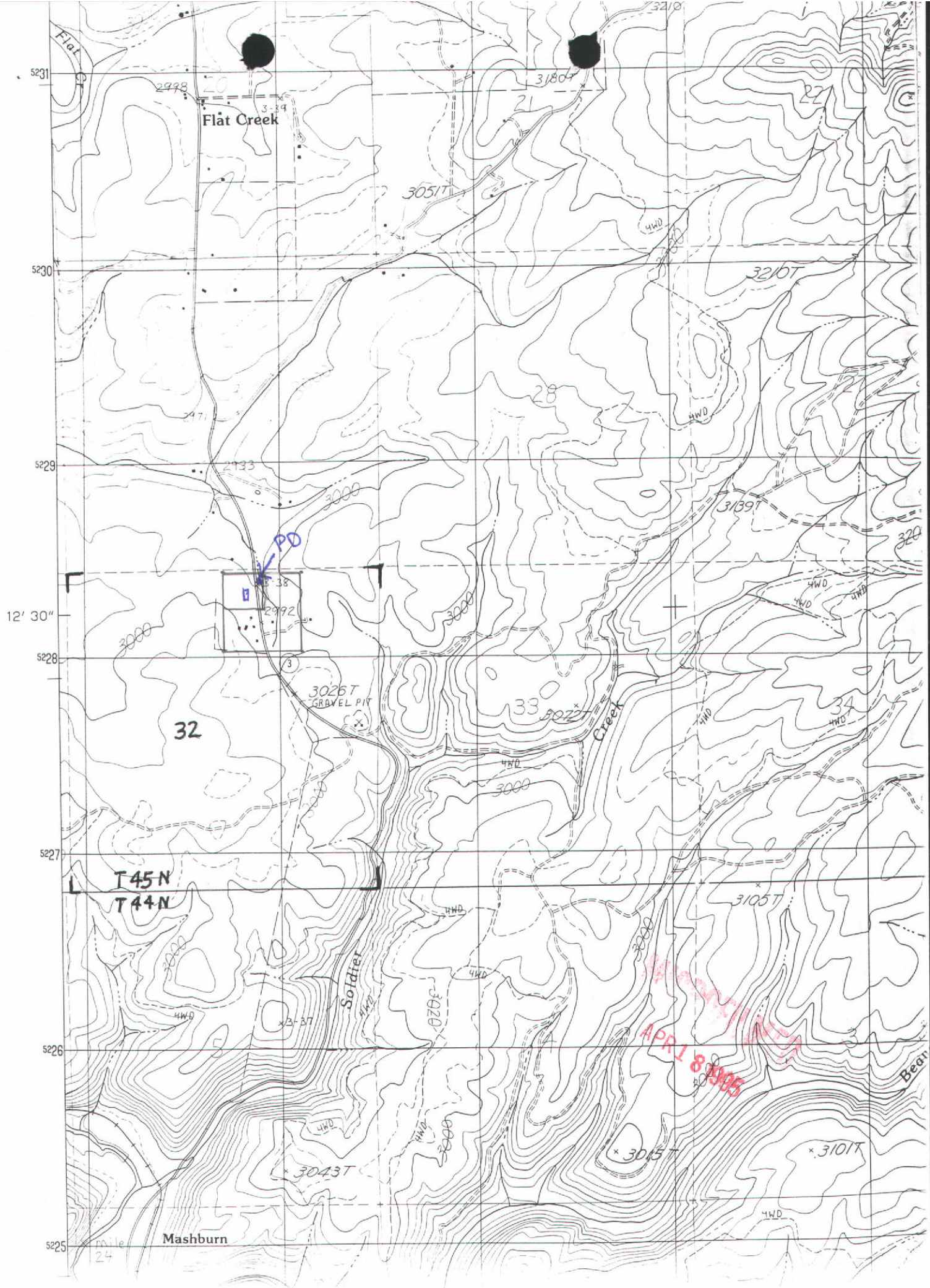
Scale: 2 inches equal 1 mile

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

MICROFILMED

OCT 13 1988

Robert L. Rud
(Applicant)



Flat Creek

3026T
GRAVEL PIT

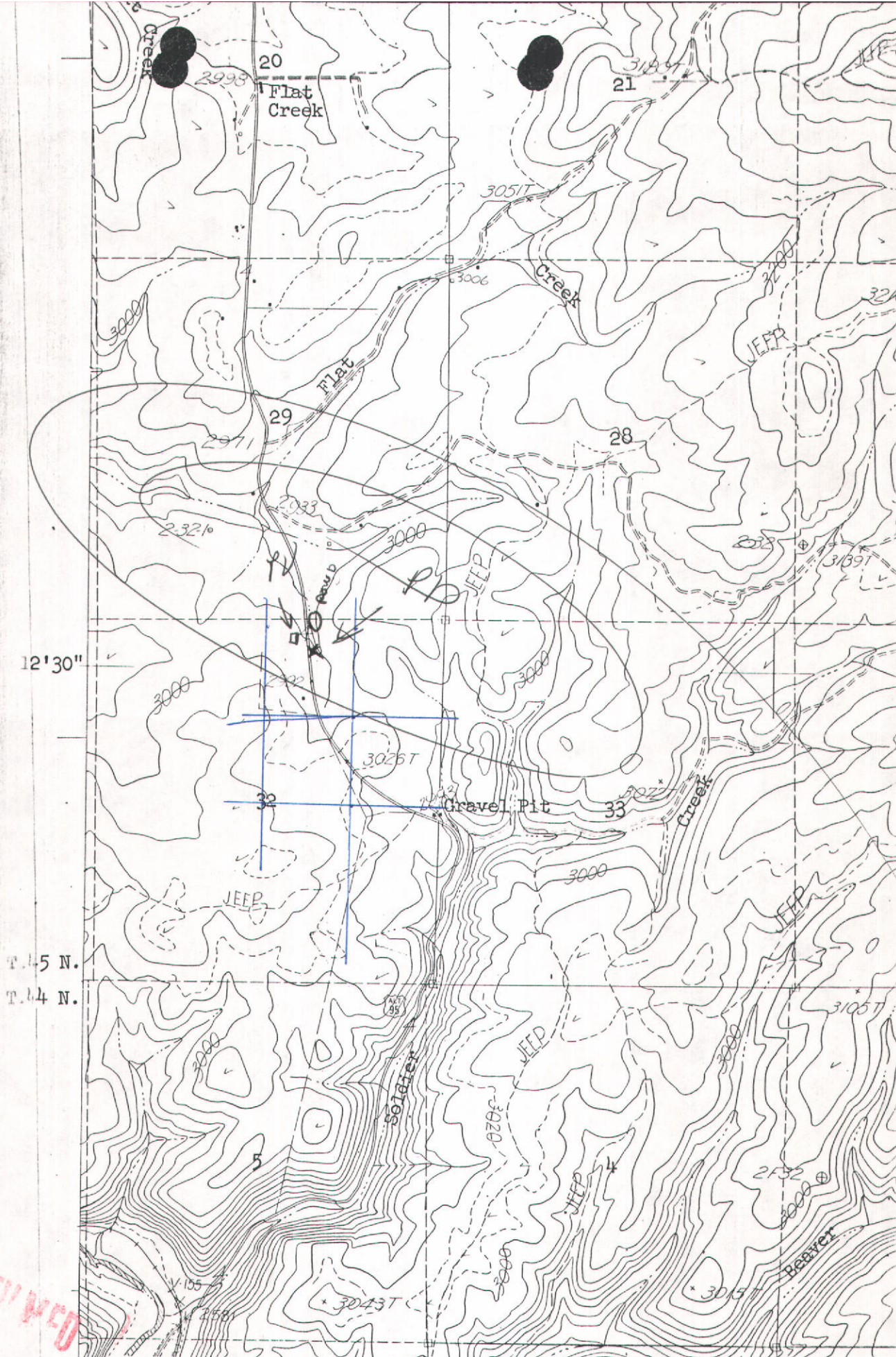
Soldier Creek

Mashburn

T45N
T44N

APR 18 1995

24



KIRTS
 PD: T45N, R1W, SEC.32,
 PU:
 SOURCE: SPRING

QUAD:H-7
 NWNE
 TRIBUTARY: ^SINKS

PERMIT #92-07180
 GL:
 ACRES: ^

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07180

Priority: September 28, 1987 Maximum Storage Volume: 2.5 AF

This is to certify, that ROBERT KIRTS

RT 4 BOX 116

ST MARIES ID 83861

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 28, 1987; and has submitted Proof of Beneficial Use on January 10, 1989. An examination indicates that the works have a storage capacity of 2.500 af of water from:

SPRING

tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		0.2 AF
FIRE PROTECTION STORAGE	07/01 to 10/31		2.5 AF
	Totals		2.5 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNWNE, Sec. 32, Township 45N, Range 01W
BENEAH County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

45N 01W 32

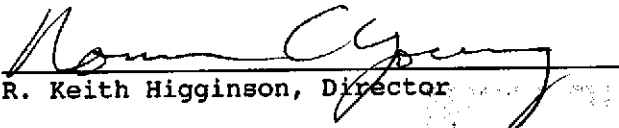
NWNE

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Stockwater storage use is for 15 range cattle.
5. Water used for fire protection use shall not be diverted under this right except to fight or repel an existing fire.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 14TH day of APRIL, 1995.

Acting for


R. Keith Higginson, Director

APR 18 1995

RECEIVED

JAN 10 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by JS
Sent to region _____

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 92-7180

Name(s) of Permit Holder: ROBERT KIRTS

Post Office Address: R#4 Box 116

ST. MARIES, ID 83861 Telephone No. 245-4639 or 773-5579

Source of Water: SPRINGS AND RUNOFF

Extent of Use:

Domestic ☒ (1) (number of households) Stockwater 15 (COWS) (number and type of stock)

Irrigation _____ (acres) Other/Remark WILD GAME - FIRE

PROTECTION

Total rate and/or volume for which proof is submitted _____ cfs 5 PER ANNUM acre-feet

Show the date water was first diverted and beneficially used under this permit: APRIL - 88

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ NO FEE REQUIRED FOR
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

SINGLE FAMILY DOMESTIC
USE OR STOCKWATER USE

Person to contact to accompany the Department representative during the field examination:

ROBERT L. KIRTS HOME 245-4639 WORK 773-5579
(Name) (Telephone Number)

R#4 Box 116 ST. MARIES, ID 83861
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

FEB 10 1989

1-6-89
Date

Robert L. Kirts
Signature of Permit Holder (and title, if appropriate)

Form 202
6/85

Ident. No. 92-7180

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Robert Kirts Phone _____
Post office address Rt. 4 Box 116 St. Maries, Id. 83861
2. Source of water supply Spring and Runoff which is a tributary of Sinks
3. Location of point of diversion is _____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____
Sec. 32 Township 45N Range 1W B.M. Benewah County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 5A/F for Str. for Fire Prot. purposes from July to Oct (both dates inclusive)
(acre-feet per annum)
 Amount 5A/F for Str. for Stock purposes from 1/1 to 12/31 (both dates inclusive)
(acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 5 A/F
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Dam Spillway
 - b. Height of storage dam 9 feet; active reservoir capacity 5 acre-feet; total
reservoir capacity 5 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

OCT 13 1988

100

8. Description of proposed uses (if irrigation only, go to item 9):

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. 45N 1W

45N 1W

[illegible]

9/28/87

Received by PMS

Date

9/28/87

Time 3:20 PM

Preliminary check by TK

Fee \$ 30.00

Received by PMS

#

41756

Date

9/29/87

St. Maries Gazette

Publication prepared by PMS Date 10/1/87 Published in 10/7&14/87 & 12/16&23/87

PMS

Date

10/20/87

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. 92-7180

APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

March 1

19

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Witness my hand this 29th day of February, 1988.

Director

OCT 13 1988

30

DOUG HAINES - 765-4639

Identification No. 92-7180
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

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

1. Name of applicant ROBERT KIRTS
post office address RT. 4 Box 116 ST. MARIES IDA. 83861
2. Source of water supply Spring and Run off which is a tributary of N/A Sinks JK
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32 Township 44N Range 1W B.M. 49 BENEWAH County; additional points of diversion if any: N/A
- b. If water is not consumed, it will be discharged into FLAT Creek at a point in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32 Township 44N Range 1W B.M. 49
4. Water will be used for the following purposes:
Amount 5 A/F for Storage for Fire Protection purpose from July to OCT (both dates inclusive)
Amount 5 A/F for Stock purpose from 1-1 to 12-31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. 5 ac/FT acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Dam Spillway
- b. Height of storage dam 9 feet, active reservoir capacity 5 acre feet; total reservoir capacity 5 acre feet, materials used in storage dam: Silty Clay
Period of year during which storage will occur April 1-1 to 12-31 April inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 Allow 1 yr. - few months years.
b. Estimated construction cost is \$ 3500.00
8. Description of proposed uses:
a. If water is not for irrigation: Fire Protection
(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32 Township 44N Range 1W B.M. 9129/87 - JK
(2) Amount of power to be generated: N/A hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 15 head
- (4) Name of municipality to be served IDAHO DEPARTMENT OF LANDS, or number of families to be supplied with domestic water _____
- (5) If water is to be used for other purposes describe: Stock watering

FILED

OCT 1988

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

Total number of acres to be irrigated_____

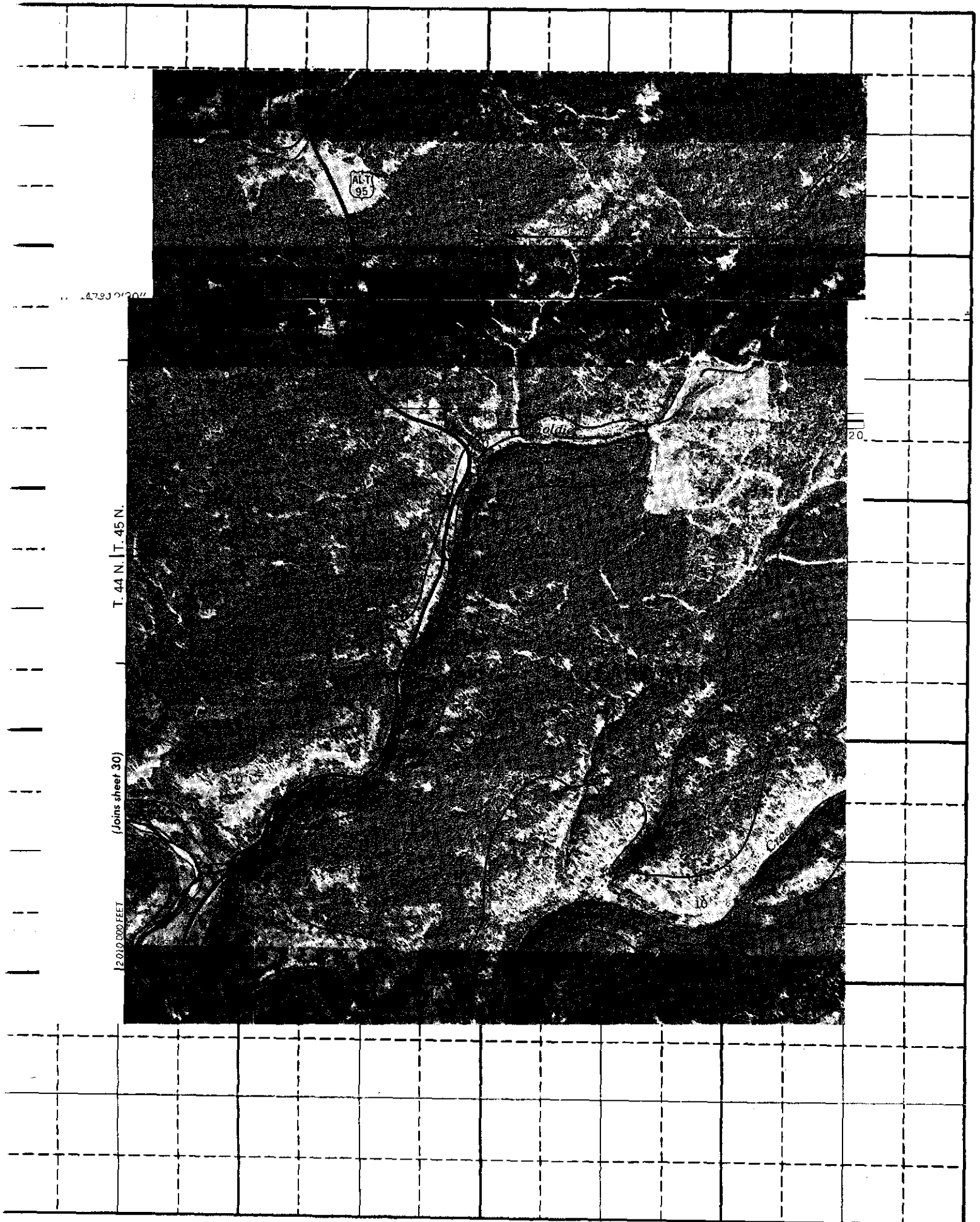
c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion Robert Kirts
b. Who owns the land to be irrigated or place of use " "
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

10. Remarks _____

DEC 13 1988

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



Scale: 2 inches equal 1 mile

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

RECORDED

OCT 13 1988

Robert L. KusD
(Applicant)

OCT 13 1988

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

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

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 16th day of Dec, 19 87 and the last on the 3rd day of Dec, 19 87.

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

Dated this 15th day of Jan, 19 88

Cynthia Ann Hammes

STATE OF IDAHO } ss.
COUNTY OF BENEWAH }

On this 15th day of Jan in the year 19 88,
before me, a Notary Public, personally appeared Cynthia Ann Hammes known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that she executed the same.

Sharon D. Blackburn

Notary Public
Residing at St. Maries, Idaho

Notice of correction given by Dept. of Water

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 92-7180 in the name of Robert Kirts was advertised incorrectly on Oct. 7 and 14, 1987.

The point of diversion and place of use were incorrectly described as the NWNE Sec. 32 T44N R01W; whereas correctly they should be the NWNE Sec. 32 T45N R01W.

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 4055 Gov't Way, Step. 14, Coeur d'Alene, Id. 83814 on or before January 4, 1988.

R. KEITH HIGGINSON, Dir.
No. 301 — Dec. 16-23.

[Handwritten initials and date 1/20/88]

[Stamp: FILED]

[Faint stamp]

[Faint stamp]

[Faint stamp]

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

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

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 7 day of October, 1987 and the last on the 14 day of October, 1987.

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

Dated this 16th day of Oct., 1987.

Cynthia Ann Hammes

STATE OF IDAHO
COUNTY OF BENEWAH } ss.

On this 16th day of Oct. in the year 1987,
before me, a Notary Public, personally appeared Cynthia Ann Hammes known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that she executed the same.

Sharon D. Blackham

Notary Public
Residing at St. Maries, Idaho

RECEIVED

OCT 19 1987

Department of Water Resources
Northern District Office

Notice of application filed for water rights

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

92-7179

Name: Larry Cooke
Address: Rt. 4 Box 85A, St. Maries, Ida. 83861

Date Filed: August 21, 1987

Source: Unnamed Stream tributary to Flat Creek

Point of Diversion: NESE Sec 20 T 45N R 01W

Use: Wildlife Storage (3.0 AF); Fire Prot. Storage (3.0 AF); Diversion to Storage (0.010 CFS)

In: NESE Sec 20 T 45N R 01W
92-7180

Name: Robert Kirts
Address: Rt. 4 Box 116, St. Maries, Ida. 83861

Date Filed: September 28, 1987

Source: Spring tributary to Sinks; Unnamed Stream tributary to Sinks

Point of Diversion: NWNE Sec 32 T 44N R 01W

Use: Stockwater Storage (5.0 AF); Fire Prot. Storage (5.0 AF)

In: NWNE Sec 32 T 44N R 01W

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Government Way, Suite 9, Coeur d'Alene, Idaho 83814 on or before October 26, 1987.

R. KEITH HIGGINSON, Dir.
No. 244 -- Oct. 7-14.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 14, 1995

ROBERT KIRTS
RT 4 BOX 116
ST MARIES ID 838610000

RE: WATER RIGHT NO. 92-07180

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 18 1995

Cindy Zimmerman

Date: 4/11/96

NAME	Chng	OK	Or Address Change?
SOURCE	___	<u>✓</u>	Clarify source Prelim. Order to Void - Source change.
P/D	___	<u>✓</u>	Amendment Needed? <u>NO NONE</u> <u>clarify</u> <u>NO NONE</u> -P39, P38 Overlap(s) <u> </u>
P/U	___	<u>✓</u>	Amendment Needed? <u> </u> -P41, P38 Overlap(s) <u> </u> *P/D & P/U Amend? P37, P38 (See list for feds.)
RATE	___	<u> </u>	Permit/fee limits <u> </u> Meas Q= <u> </u> Theo Q= <u> </u> Recommend: <u> </u> <u> </u> NO PERMITTED FLOW
VOLUME	___	<u>✓</u>	Combined rates exceed capacity <u> </u> Season of Use: <u>1/1 - 12/31</u> <u>stock</u> <u>Fire Protection 7/1-10/1</u> days <u>365</u> Calculations: <u>Permitted: 5.0 AF / No B/U FEE</u> <u>(15hd x 12gpd x 365 d) = 325,450 = 0.2 AF; Pond: 135' x 135' x 10'</u> Flow limit: <u> </u> x <u> </u> x 1.9835 = <u> </u> AF Recommended volume <u>stock 0.2</u> AF & F.P. = 2.5 AF Comb rates + capacity/allowable <u>2.5 AF</u>
USES	___	<u>✓</u>	Same Nature of Use? <u> </u> -P46 Amendment Needed? <u> </u>
REMARKS	___	<u> </u>	Multiple p/d's in <u>1 1/4</u> ? <u> </u> Irrigation water overlap (WB3) (If gw use sw) <u> </u> Other <u>W02/15</u> <u>W06</u>
CONDITIONS	___	<u> </u>	Measuring (R01)/Locking (R02) Devices <u> </u> Watermaster Control (R04) - WD # <u> </u> <u> </u> Irrigation rate/volume overlap <u> </u> Water Quality <u> </u> Other <u> </u>
PRIORITY	Correct fee submitted? Yes/No Receipt # <u> </u> Order to Reinstate Needed? Yes/No Done? <u> </u> Advance(d)? Yes/No Advance(d) to: <u> </u> App Rcd <u>9/28/87</u> Priority <u>9/28/87</u> Examined <u>6/22/94</u>		

COMMENTS:

RECOMMENDED
Stock Stoe/15 RC

CFS

DIV VOL

Adjustment Memo ✓
SRBA Claim filed

Fire Pre.

25

#1 AMEND LTR: P46 or
P39/P41/P37 & P38
#2 AMEND LTR: P42/P47

TOTAL

4

2.5

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 30 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-7180

1. Owner: ROBERT KIRTS Phone No. —

Current Address: RT. 4 Box 116 ST. MARIES ID. 83861

2. Accompanied by: OWNER EXAM DATE: 6-22-94

Address: SAME AS ABOVE Phone No. —

Relationship to Permit Holder: —

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: —

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NE	32	45N	01W	BENEWAH	USGS 7.5 MIN QUAD

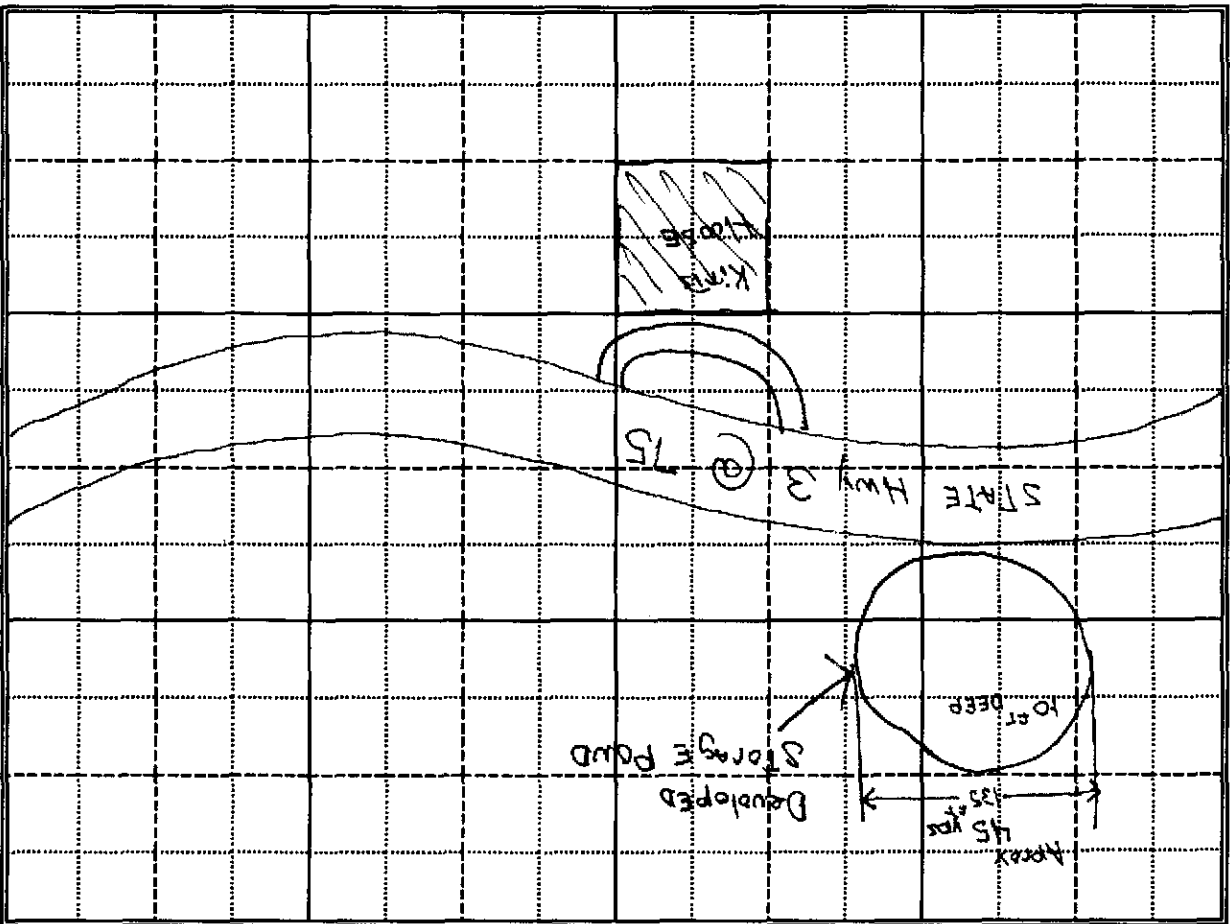
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
45N	01W	32		(Storage) Stock															

APR 18 1995

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



Scale 1" = 1/25'

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

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

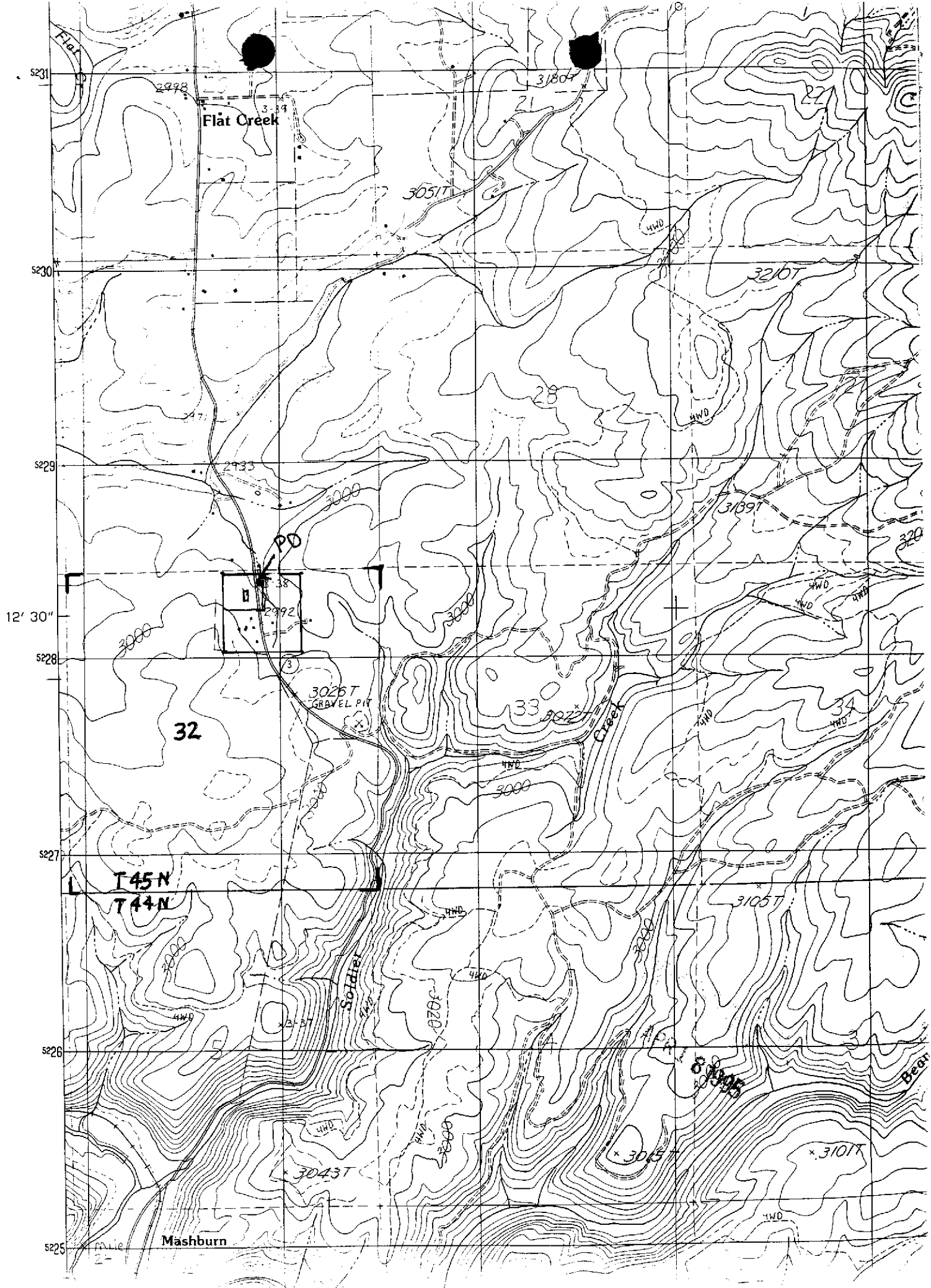
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements:



E. NARRATIVE/REMARKS/COMMENTS

This is a standing pond which STATE
HELPER FUND Building of for fire Protection
Storage. Mr Kirts will also use pond
for stock purposes.

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

APR 18 1995

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

$$135' \times 135' \times 10' \times 6' = 2.5 \text{ ASH}$$

H. RECOMMENDATIONS

1. Recommended Amounts

[illegible]

1. AUTHENTICATION

Field Examiner's Name Det McEachin Date 6-22-94

Reviewer _____
Date _____

SEAL

SENIOR AGENT REVIEW

RECEIVED
JUN 27 1990

Check List
for
Beneficial Use Field Report

Department of Water Resources

Permit 92-0780

☒ **A. GENERAL INFORMATION**

- ☒ 1. Name and address are most current available. (Check BU statement)
☒ 2. Exam Date
☒ 3. Source (Check Permit)

☒ **B. OVERLAP REVIEW**

- ☒ 1. & 2. (Rule 5,1,4)

☒ **C. SYSTEM DESCRIPTION**

- ☒ 1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
☒ 2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17)
☒ 3. Word Picture (Rule 5,1,3 / 5,1,4)
☒ 4. Diversion (Rule 5,1,3)
☒ 5. Compare with USGS Map, Land Survey Maps, Aerial Photos and Permit.
☒ 6. Irrigation (Rule 5,1,8)

☒ **D. FLOW MEASUREMENTS** Check math (Rule 5,1,13 / 5,1,14)

☒ **E. FLOW CALCULATIONS** Check math (Rule 5,1,13 / 5,1,14)

☒ **F. OPTIONAL**

☒ **G. VOLUME CALCULATIONS**

- Three significant figures and no more than 1/10's (Rule 6,1,2)
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12)

☒ **H. REMARKS AND OVERLAP ANALYSES**

- All actual uses listed; all permitted uses not used, also listed; (Rule 5,1,2):
Overlaps (Rule 5,1,4):
Return flows (Rule 5,1,5):
Conditions (Rule 5,1,6).

☒ **I. RECOMMENDATIONS**

1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity
(Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14).
Period of year (Rule 5,1,13)
2. Compare permit to exam for amendments (Rule 5,1,16)

☒ **J. AUTHENTICATION**

Name, Signature, Certification Date, Exam Date.

☒ **WELL INSPECTION REPORT**

Check with permit and well log for discrepancies

Signature [Signature]

Date 8/25/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 27 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-7180

1. Owner: Robert Kirks

Phone No. _____

Current Address: Rt. 4 Box 116 St. Maries Id 83861

2. Accompanied by: Orval Bruckers

EXAM. DATE: 6/27/89

Address: Rt 4 Box 116 St Maries Id

Phone No. ?

Relationship to Permit Holder: neighbor and spring sharer.

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with same place of use: 92-4015

☐ Copies Attached

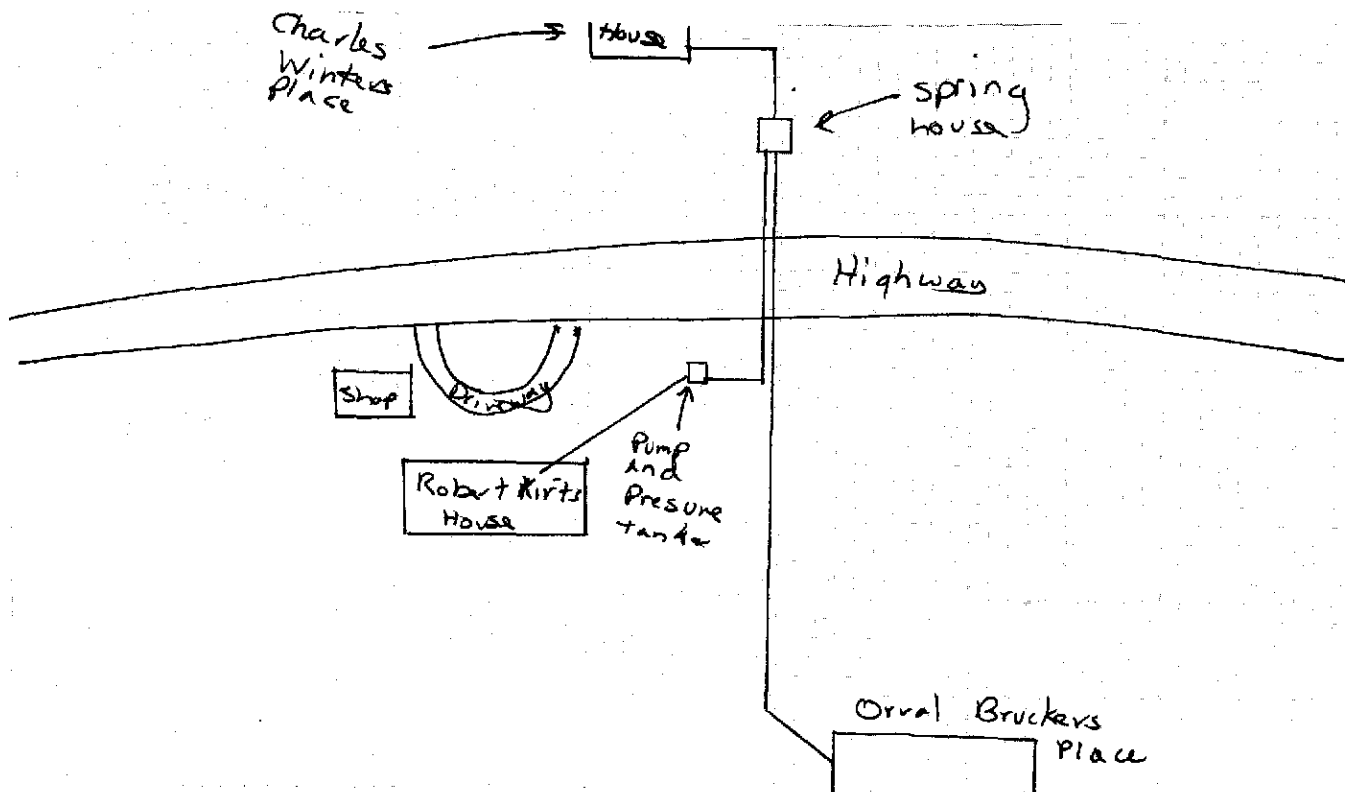
2. Other water rights with same point of diversion: 92-4015, 92-4012, 92-4114

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Spring with wooden cover with concrete floor water is then diverted across road to pump set in ground w/compressor tank Buried 1' pipe to pump house and then 1" pipe to house.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Red Jacket	1/2	55J	Sam	1"

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

5. Point(s) of Diversion:

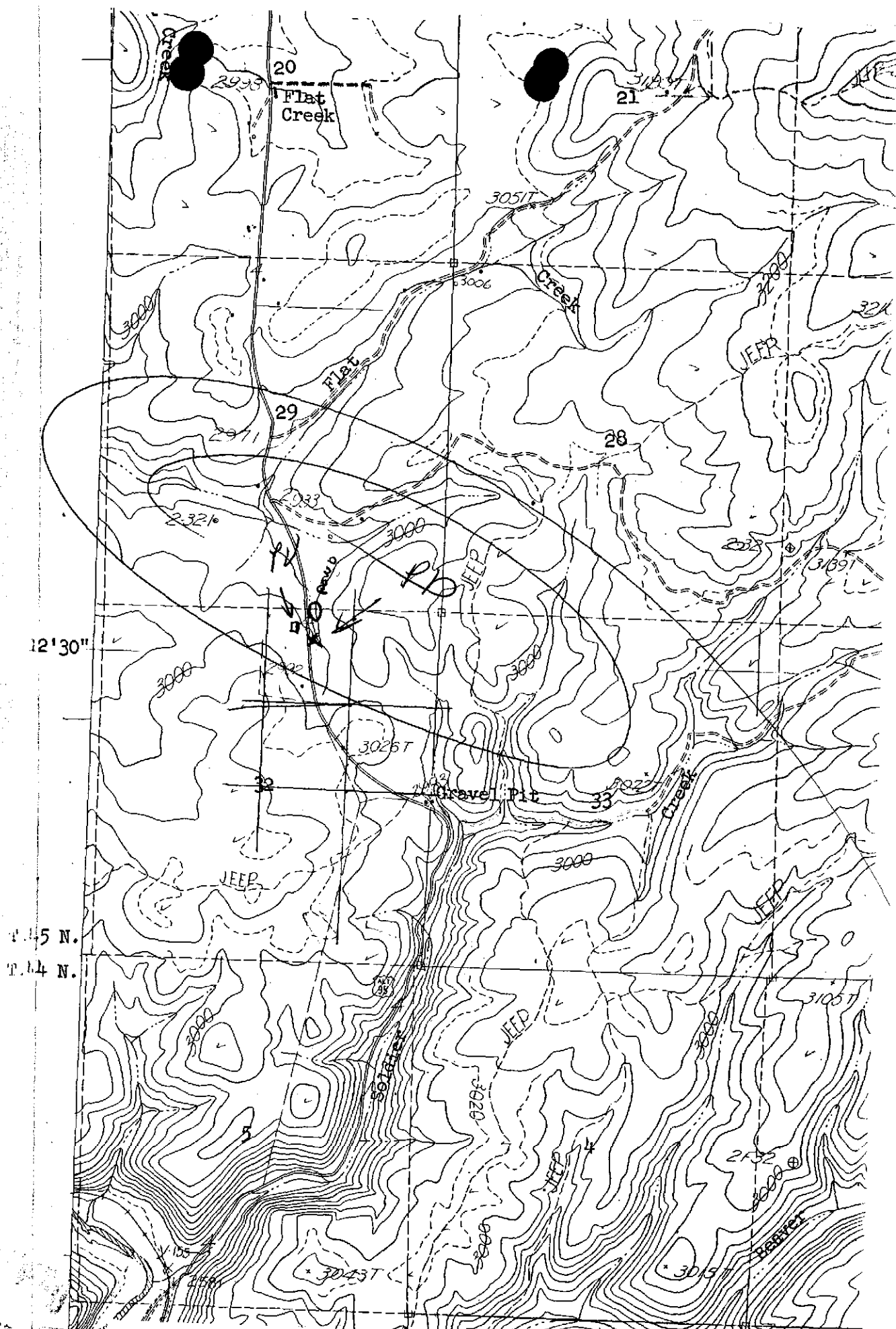
[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

APR 18 1995



APR 18 1995

KIRTS
PD: T45N, R1W, SEC.32, QUAD:H-7
PU: NWNE
SOURCE: SPRING
PERMIT #92-07180
GL:
ACRES:
TRIBUTARY: SINKS

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

#

CANCEL - RE: ~~AP~~ PERMIT FOR STORAGE
FOR FIRE AND STOCK
~~FOUND DOMESTIC.~~

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

APR 18 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

CANCEL - RE: PERMIT FOR STORAGE FOR STOCK AND
FIRE FOUND DOMESTIC ALREADY COVERED UNDER
CLAIM # 92-4019.

LDX'S - 72-4015 - 92-4017 - 92-4114 share 92
same PD.

Reason to Cancel ~ No Diversion Rate Applied For No
STORAGE FOUND - JK

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)

2. Recommended Amendments

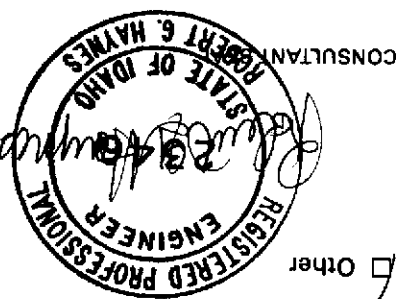
- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above

- ☒ None
- ☐ Other

J. AUTHENTICATION

Field Examiner's Name Louis Sukoraty
Signature [Signature]
Certification Date 2/17/89
Field Report Preparation Date 6/27/89

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



APR 2 8 1989

MEMORANDUM

TO: ALAN B./NORTHERN REGION

FROM: PAM SKAGGS/S.O.

RE: RETURNED FIELD EXAM 92-07180

DATE: 26-MAR-1993

=====

I am retuning this exam that Jim recently talked to you about. The exam recommended voiding the permit since no storage was found. A notice of pending void was sent to the right holder and Mr. Kirts responded with the attached letter (copy). He maintains a pond was developed and disagrees with the examiners findings. Please clarify this matter and then send it back to the State Office. Thanks!

APR 18 1995

RECEIVED

JAN 6 1993

Department of Water Resources

January 4, 1993

Jim Johnson
Statehouse Mail
Boise, Idaho 83720

RE: Permit to Appropriate Water No. 92-07180

Mr. Johnson:

In 1988 a pond was constructed for the purposes of fire protection and storage for stockwater in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, Twp. 45n, Rng. 01w, B.M., Benewah County.

On June 27, 1989, an employee of your department conducted a field examination at a spring which supplies water for household use at my residence. This I learn from the neighbor's and the employee at no time made an examination of the pond, which is located 1500 feet from the spring. The spring has a permit which covers it's use issued by your Department.

At the present time the pond is covered by four feet of snow, but would sent a picture in the spring to confirm that it does exist and I could probably find the papers from the ASCS office which help fund the project.

If you have any question's or need further information in regard to this matter, please feel free to contact me at 245-5399

Sincerely,


Robert L. Kirts

APR 16 1995

ORDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

ROBERT KIRTS
RT 4 BOX 116
ST MARIES ID 83861

APR 18 1995

4a. Article Number

350 81

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COO
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

DEC 31 1992

5. Signature (Addressee)

[Signature]

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

92-07180

UNITED STATES POSTAL SERVICE

Official Business

SPD WA 992 DCR2 2111

RECEIVED

JAN 4 1993



PENALTY FOR PRIVATE
USE, \$300

Department of Water Resources

Print your name, address and ZIP Code here

• **CZ Water Allocation Bureau**
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

APR 18 1995
1301 N. ORCHARD ST
BOISE, ID 83706



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 28, 1992

ROBERT KIRTS
RT 4 BOX 116
ST MARIES ID 83861

RE: Permit to Appropriate Water No. 92-07180

NOTICE OF PENDING ORDER TO VOID PERMIT

Dear Permit Holder(s):

On February 29, 1988, the Director of the Department of Water Resources approved Application for Permit No. 92-07180 for diversion water from an unnamed spring for storage for fire protection and storage for stockwater purposes in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, Twp. 45N, Rng. 01W, B.M., Benewah County.

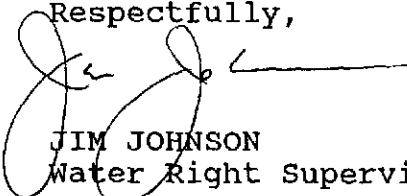
On June 27, 1989, an employee of this department conducted a field examination and could not find water being used as identified on the above referenced permit. He has recommended that the permit be voided.

The purpose of this letter is to inform you that I will take action to void your permit after thirty (30) days from the date of this letter unless you can provide information that water was developed as identified under the permit.

You can assist me by signing and returning the enclosed relinquishment form if the examiner's information is correct.

If you have any questions in regard to this matter, please feel free to contact me at 327-7947.

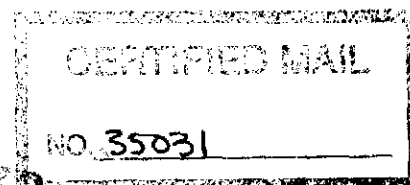
Respectfully,


JIM JOHNSON
Water Right Supervisor

JJ:cz

Enclosure

c: Northern Region



APR 18 1995



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

COEUR D'ALENE, IDAHO 83814

1910 Northwest Blvd., Suite 210

Telephone: (208) 765-4639

February 10, 1989

Mr. Robert Kirts
Rt. 4 Box 116
St. Maries, Id. 83861

Re: 92-7180

Dear Mr. Kirts:

Dear Permitholder:

We acknowledge receipt of your statement of completion of water development use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you prior to the time the examination is made so that you may demonstrate the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Sincerely,

/s/

TOM D. KING
Senior Water Resource Agent

TDK/pms

APR 18 1989

ROBERT KIRTS
RT. 4 BOX 116
ST. MARIES, ID 838610000

December 31, 1988

138865

PROOF DUE NOTICE
RE: PERMIT NO. 92-07180

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECORDED
FEB 10 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MARCH 11, 1988

KIRTZ, ROBERT
RT. 4 BOX 116
ST. MARIES, ID 83861

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 92-7180

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

RECEIVED

OCT 13 1988

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 92-7180 in the name of Robert Kirts was advertised incorrectly on Oct. 7 & 14, 1987.

The point of diversion and place of use were incorrectly described as the NWNE Sec. 32 T44N R01W; whereas correctly they should be the NWNE Sec. 32 T45N R01W.

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 4055 Gov't Way, Ste. 14, Coeur d'Alene, Id. 83814 on or before January 4, 1988.

R. KEITH HIGGINSON, Dir.

Published in the St. Maries Gazette Record on 12/16 & 23/87.

RECEIVED

OCT 13 1988

October 1, 1987

Mr. Robert Kirts
Rt. 4 Box 116
St. Maries, Id. 83861

Re: 92-7180

Dear Mr. Kirts:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned Identification No. 92-7180. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the St. Maries Gazette Record. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to the final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your Receipt No. 41756 for the amount of \$30.00.

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

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
Enc. - Receipt

COPY

MICROFILMED

OCT 13 1988

92-7180

KIRTZ, ROBERT

RT. 4 BOX 116, ST. MARIES, ID 83861

Source: SPRING trib. to SINKS
UNNAMED STREAM trib. to SINKS

Diversion Pt: NWNE Sec 32 T ^{45N}~~44N~~ R 01W

Use: STOCKWATER STORAGE (5.0 AF)
FIRE PROT. STORAGE (5.0 AF)

Date Filed: 09/28/1987

In: NWNE Sec 32 T ^{45N}~~44N~~ R 01W

*changed on
computer
12/10/87*

MICROFILMED

OCT 13 1988