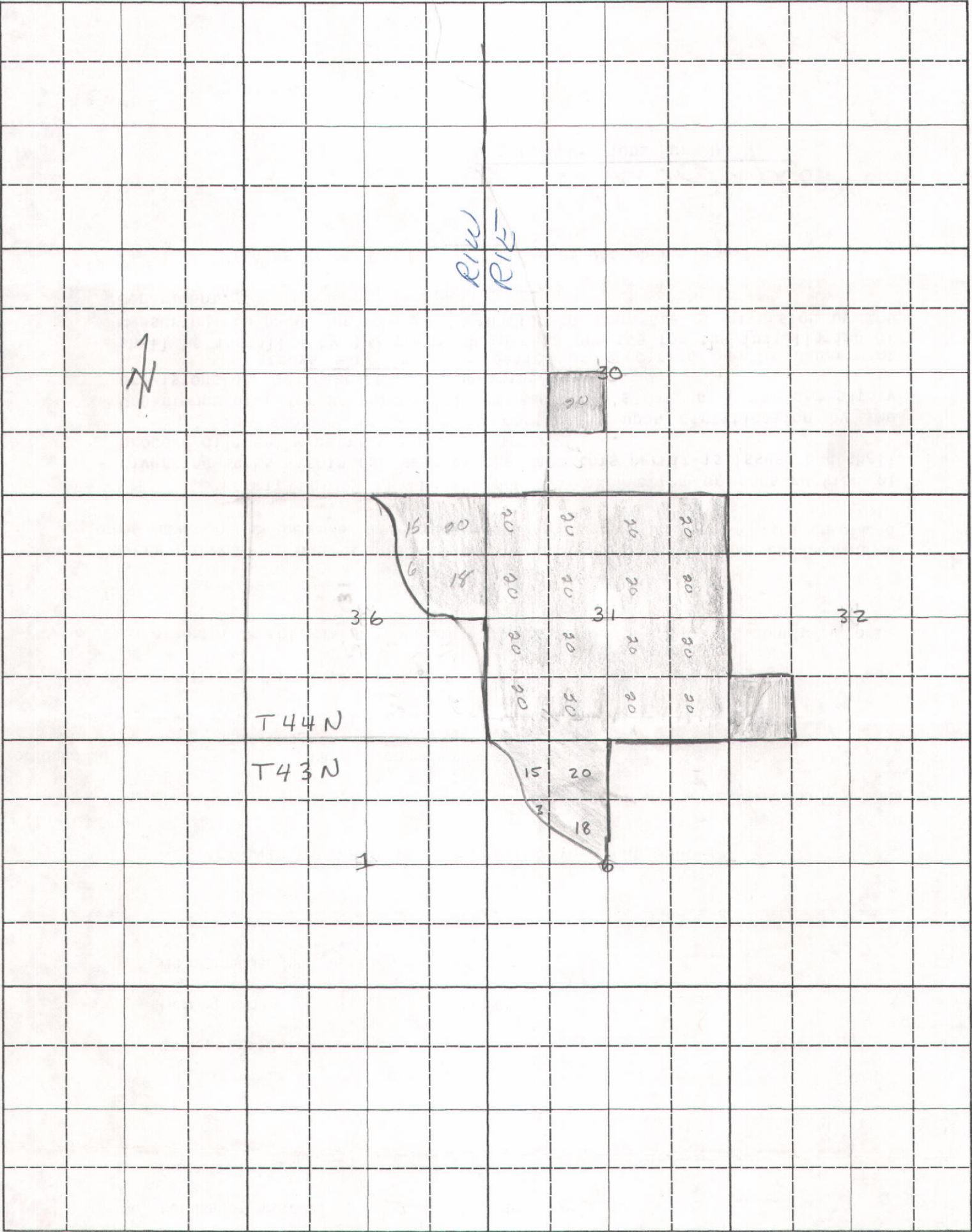


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

Brian Cady
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant FERNWOOD WATER DISTRICT Phone 245-4656
249-3821
Post office address c/o BILL CADY Box 41, FERNWOOD, ID 83830
2. Source of water supply ADAMS CREEK which is a tributary of ST. MARIES RIVER
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 44N
Range 1E B.M. BENEWAH County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.45 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1.1 for IRRIGATION purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.2 for COMMERCIAL purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 1.75 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. DIVERSION
DAM & PIPELINE

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage JAN 1 to DEC 31 inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses: SEE 8b FOR PLACE OF USE

a. If water is not for irrigation:

- (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

- (3) List number of each kind of livestock to be watered _____

- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 110.

- (5) If water is to be used for other purposes describe: COMMERCIAL USE - FOR FERNWOOD
(UNINCORPORATED TOWN)

REPRODUCED

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

[illegible]

Total number of acres to be irrigated 455

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

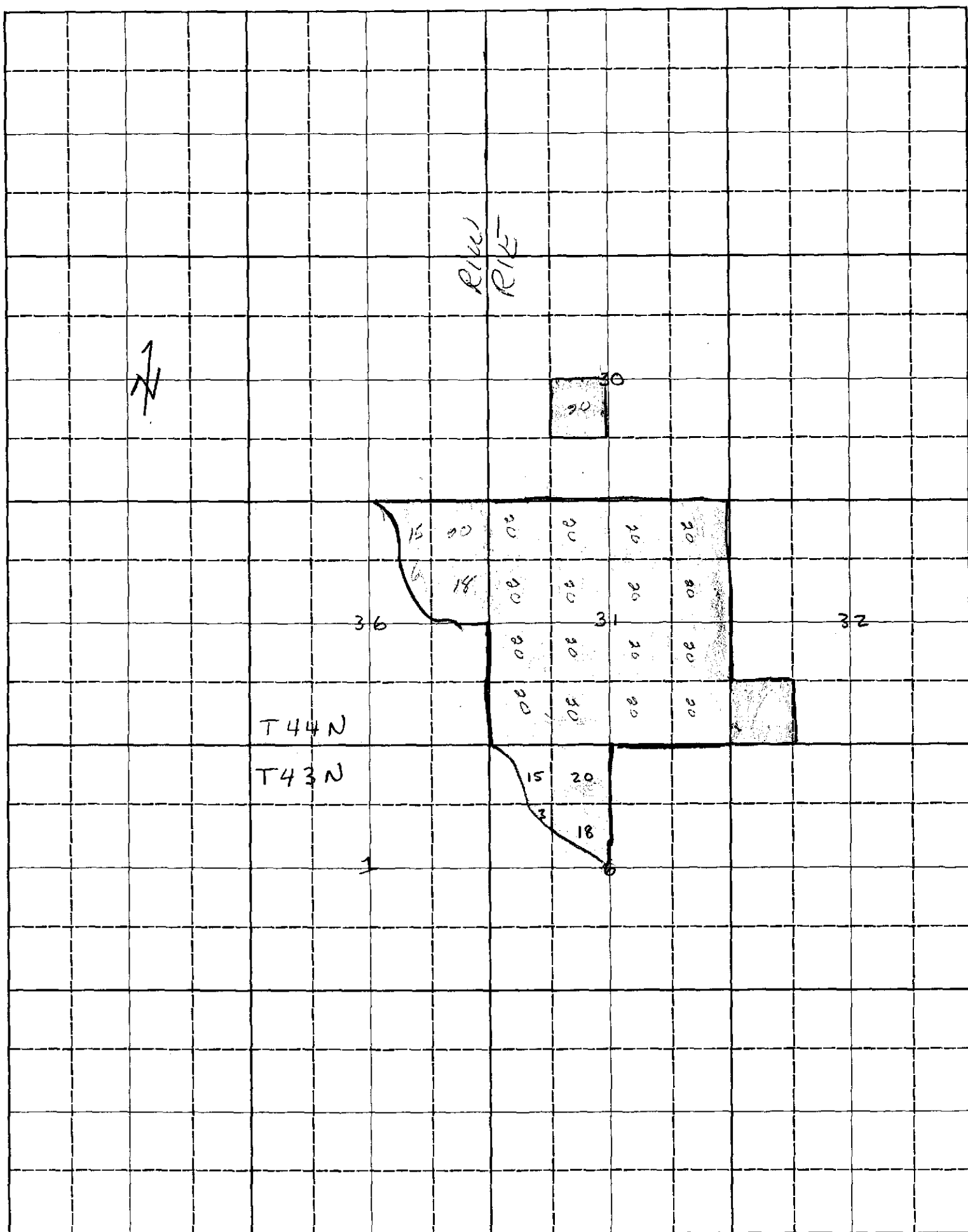
9. a. Who owns the property at the point of diversion APPLICANT

b. Who owns the land to be irrigated or place of use WATER USERS

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks _____

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



Scale: 2 inches equal 1 mile.

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

MICROFILMED

Bill Cady
(Applicant)

9/28/83

Proposed Priority

Received by

Date

9/28/83

Time

Fee \$ 65.00

Preliminary check by

Received by

Date

9/29/83 (31356)

Publication prepared by

Date

9/29/83

Published in

Publication dates

10/30/83

Publication approved

Date

10/12/83

Protests filed by:

Copies of protests forwarded by

Hearing held by

Date

Recommended for

approval

denial

by

PR

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

APPROVED

, and said application is hereby

92-7171

of Idaho No.

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 be-

for December 1, 1988.

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

d. Other:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The storage of water is contingent upon certification by the Department of Water Resources, of the applicant's dam under the dam safety provisions of the Idaho Code, authorizing storage.

An access port or other device as specified by the Department of Water Resources shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the

Department.

Witness my hand this 19th day of December, 1983.

D. Allen Saylor
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

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

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 16 day of Nov., 1983 and the last on the 23 day of Nov., 1983.

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

JoJane Hammes
Subscribed and sworn to before me this 15 day of Dec., 1983

Sharon D. Black
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN that Application for Permit No. 92-7171 in the name of Fernwood Water District was advertised incorrectly on 10-5 and 10-12, 1983.

Part of the Place of Use was incorrectly described as the NW $\frac{1}{4}$ of Sec 6 T44N R01E; whereas, correctly it should be the NW $\frac{1}{4}$ of Sec. 6 T43N R01E.

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Idaho 83814 on or before December 5, 1983.

KEN DUNN, Dir

Published in the St. Maries Gazette Record on 11-16 and 11-23, 1983.

No. 7319 — Nov. 16-23

RK
12/5/83

RECEIVED

NOV 15 1983
COUNTY CLERK

NOV 15 1983

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN that Application for Permit No. 92-7171
in the name of Fernwood Water District
was advertised incorrectly on 10/5 and 10/12, 1983.
Part of the Place of Use was incorrectly described as the NW $\frac{1}{4}$ of
Sec. 6 T44N R01E; whereas, correctly it should be the NW $\frac{1}{4}$ of Sec. 6
T43N R01E.

Protests to the above-referenced correction must be filed with the Director,
Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or
before December 5, 1983.

KEN DUNN, Dir.

Published in the St. Maries Gazette Record on
11/16 and 11/23, 1983.

MICROFILMED

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

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

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 5th day of Oct, 1983 and the last on the 12th day of Oct, 1983.

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

JoJane Hammes

Subscribed and sworn to before me this 14th day of Oct, 1983.

Sharon D. Blackthorn

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

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:

92-7171

Name: Fernwood Water District
Address: C-O Bill Cady, P.O. Box 41, Fernwood, Idaho 83830

Date Filed: Sept. 28, 1983

Source: Adams Creek tributary to St. Maries River

Point of Diversion: SWSE Sec 28 T 44N R 01E

In: NENE NWNE SWNE SENE

Sec 36 T 44N R 01W NENE NWNE

SWNE SENE NENW NWNW

SWNW SENW NESW NWSW

SWSW SESW NESE NWSE SWSE

SESE Sec 31 T 44N R 01E NESW

Sec 30 T 44N R 01E NENW NWNW

SWNW SENW Sec 06 T 44N R 01E

for 455 acres

Use: Irrigation (1.10 cfs); Commercial (0.20 cfs); Domestic (0.45 cfs)

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, Coeur d'Alene, Idaho 83814 on or before October 24, 1983.

KENDUNN, Dir.

No. 7277 — Oct. 5-12.

RECEIVED

OCT 17 1983

Department of Water Resources
Northern District Office



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 9, 1988

Fernwood Water District
Box 215
Fernwood, Id. 83830

Re: 92-7171

Gentlemen:

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

RECORDED
DEC 27 1988

1/00.

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 92-7171

Date: 11-28-88

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely
_____ Reinstated

Source of Water:

☒ Surface water
☒ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority date	_____	_____
NEW PRIORITY DATE	_____	_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

RECEIVED

NOV 25 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received \$125.00
Date 11/28/88
Receipt # 0003635
Receipt by CP
Reviewed by JH
Sent to region

NOV 15 1988

No # enc. Jm

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 92-07171

Name(s) of Permit Holder: Fernwood Water District

Post Office Address: Box 215 Fernwood, Idaho -
83830

Telephone No. 208-245-3554

Source of Water: Adams CR.

Extent of Use:

Domestic 176 (number of households) Stockwater 0 (number and type of stock)

Irrigation 0 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 1.55 Domestic 1.2 Commercial 1.75 cts acre-feet

Show the date water was first diverted and beneficially used under this permit: 1967

Measuring Device: Required? Yes No X No
Installed? Yes No X No
Fee enclosed \$ 125.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? X Yes No X No
Installed? Yes No X No

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

Don Olson

208-245-2098

(Name)

(Telephone Number)

Fernwood, Idaho 83830

(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.

11/8/88

Date

Fernwood Water District

Signature of Permit Holder (and title, if appropriate)

Don Olson, Board Member

RECEIVED

DEC 27 1988

November 18, 1988

Fernwood Water District
P.O. Box 41
Fernwood, ID 83830

Re: Permit No. 92-7171

Dear Permit Holder:

Returned is your proof of beneficial use form submitted to this office November 15, 1988. Please note the enclosed copy of your application for permit which is approved for water use at a rate of 1.75 cfs.

If the use is for single family domestic and/or stockwater use or the total maximum rate of diversion is 0.04 cfs, a license examination fee is not required to be submitted with the proof. Your permit includes 110 domestic uses, irrigation use (455 acres) and commercial use with a maximum rate of diversion of 1.75 cfs. Please indicate the rate of diversion for which the water has been applied to a beneficial use. If the rate is greater than 0.04 cfs, a license examination filing fee is required. The license examination fee based on a rate of flow of 1.75 cfs is \$125. Enclosed is a fee instruction sheet for your use.

Please remit your proof of beneficial use form indicating the total rate of water use for which proof is submitted and potential licensing examination fee by December 1, 1988.

If you have any questions concerning these matters, feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

c: N. Region

MICROFILMED

DEC 27 1988

FERNWOOD WATER DISTRICT
C/O BILL CADY
P.O. BOX 41
FERNWOOD, ID 83830

September 30, 1988
138536

PROOF DUE NOTICE

RE: PERMIT NO. 92-07171

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 December 1, 1988. (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

MICROFILMED
DEC 27 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FERNWOOD WATER DISTRICT
C/O BILL CADY
P.O. BOX 41
FERNWOOD, ID 83830

JANUARY 04, 1984

RE: PERMIT NO. 92-7171

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.

IF THE DIVERSION DAM IS 10 FEET OR MORE IN HEIGHT, OR HAS AN IMPOUNDING CAPACITY OF 50 ACRE-Feet OR MORE, CERTAIN DAM SAFETY REQUIREMENTS MUST BE MET. PLEASE CONTACT THE REGIONAL OFFICE NEAREST YOU FOR DETAILS.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

MICROFILMED

RE: PERMIT 92-7171

PAGE 01
JANUARY 04, 1984

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 92-7171

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 10/24/83
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 10/17/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☒ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
9/28/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: RMH

Date: 10/24/83

STATE OFFICE REVIEW:

109 103 417 18 010 26

- ☐ See attached sheet for more information.

By: CW

Date: 12/9/83

P/D not located on map-JJ. says
not necessary.

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

IDENT. NO.

IDENT. NO.

92-817

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

9/24/83

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Updated

Transfer Updated

Keypunched by State Office

92-7171-

FERNWOOD WATER DISTRICT

C/O BILL CADY, P.O. BOX 41, FERNWOOD, ID 83830

Source: ADAMS CREEK trib. to SAINT MARIES RIVER

Date Filed: 09/28/1983

Diversion Pt: SWSE Sec 28 T 44N R 01E

Use: IRRIGATION	(1.10 CFS)
COMMERCIAL	(0.20 CFS)
DOMESTIC	(0.45 CFS)

In: NENE NWNE SWNE SENE Sec 36 T 44N R 01W NENE NWNE SWNE SENE NENW NWNW SWNW
SESW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 31 T 44N R 01E NESW
Sec 30 T 44N R 01E NENW NWNW SWNW SENW Sec 06 T 44N R 01E
FOR 455 ACRES

43N

*chgd. on
computer
11/11/83*

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 11/1/83

TO Northern

SUBJECT Place of use -

RECEIVED

NOV 7 1983

Department of Water Resources
Northern District Office

Item 8b seems to be in error.

Sec. 6 should be located within the NW¹/₄, Sec. 6, T. 43N, R. 1E, rather than T. 44N. Please correct & re-ad.

(also - what is commercial use for & do you have any info on dam size?)

Kay

SIGNATURE