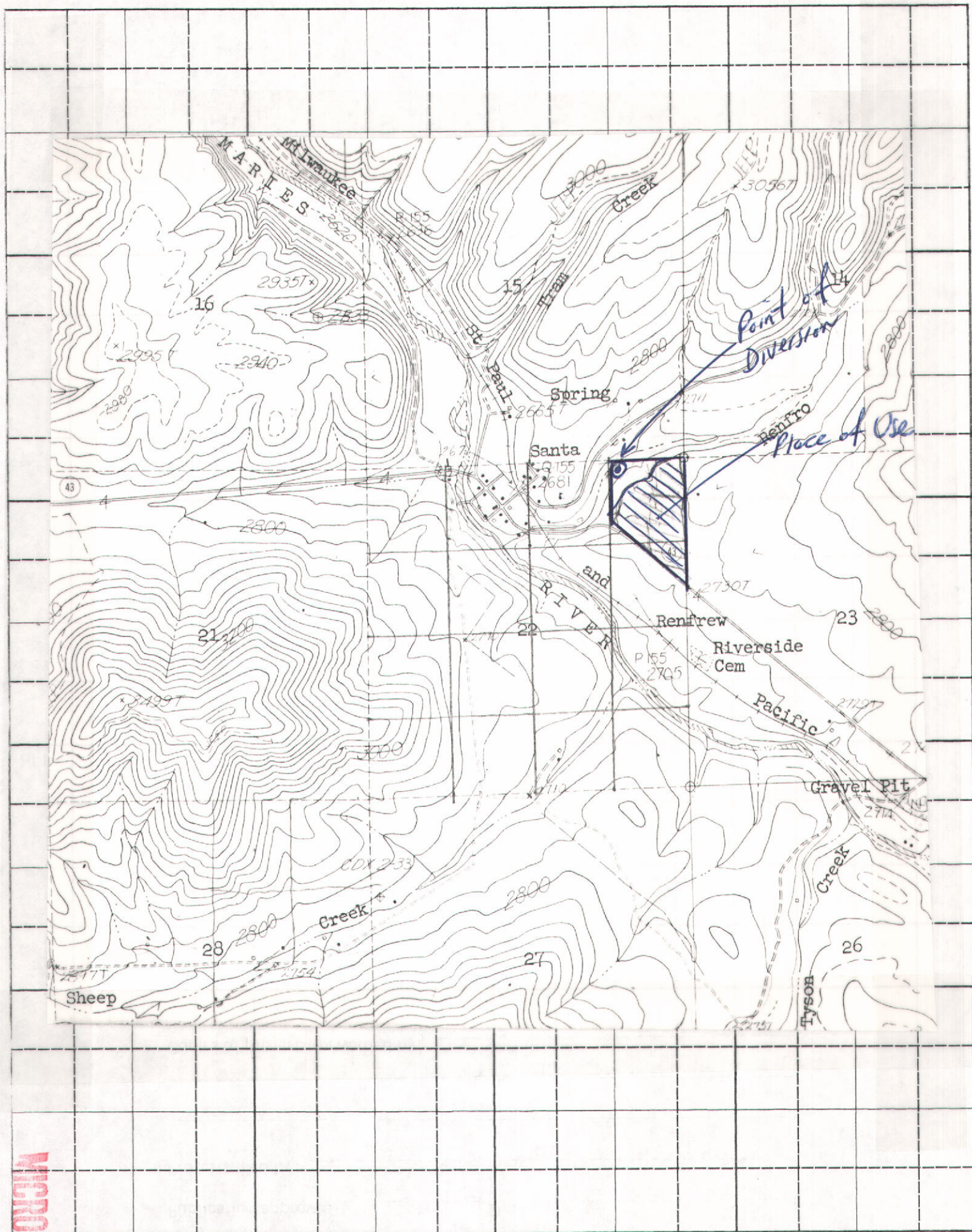


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

+ Wm. M. Linn
(Applicant)

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 13th day of July, 1983 and the last on the 20th day of July, 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.

Subscribed and sworn to before me this 17th day of Aug., 1983.

Sharon D. Black

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

92-7144
Name: Benjamin F. Schrengohst
Address: Rt. 1, Box 193, St. Maries, Idaho 83861
Date Filed: June 24, 1983
Source: Alder Creek, North Fork tributary to Alder Creek
Point of Diversion: Lot 02 Sec 05 T 44N R 03W
In: Lot 02 Sec 05 T 44N R 03W for 1 acre
Use: Irrigation (0.03 cfs)

92-7145
Name: Art H. and-or Georgene B. Shamel
Address: 331 College Ave., St. Maries, Idaho 83861
Date Filed: June 24, 1983
Source: Groundwater
Point of Diversion: NWSW Sec 27 T 46N R 02W
In: Lot 03 Lot 02 Sec 27 T 46N R 02W for 52 acres
Use: Irrigation (0.20 cfs); Stockwater (0.02 cfs); Domestic (0.12 cfs)

92-7146
Name: William L. and-or Rebecca A. Rhodes
Address: Rt. 4, Box 214, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Springs tributary to Santa Creek, Unnamed Stream tributary to Santa Creek
Point of Diversion: SWSE Sec 35 T 44N R 03W

93-7043
Name: Bill and-or Ruth Rosenberry
Address: Star Route, Box 59, DeSmet, Idaho 83824
Date Filed: June 28, 1983
Source: Spring tributary to Sinks
Point of Diversion: NENE Sec 33 T 44N R 05W
In: NENE Sec 33 T 44N R 05W
Use: Stockwater (0.02 cfs); Domestic (0.04 cfs)

93-8373
Name: Mufiel J. Innes
Address: P.O. Box 345, Plummer, Idaho 83851
Date Filed: June 9, 1983
Source: Groundwater
Point of Diversion: NWSW Sec 11 T 46N R 05W
In: SWNW NWSW Sec 11 T 46N R 05W for 40 acres
Use: Irrigation (0.40 cfs); Stockwater (0.02 cfs); Domestic (0.13 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 August 1, 1983.

KEN DUNN, Dir.

No. 7169 -- July 13-20.

93-7042
Name: Gary A. and-or Kathleen H. Johnson
Address: Star Route, Box 20, DeSmet, Idaho 83824
Date Filed: June 27, 1983
Source: Spring tributary to Sinks
Point of Diversion: SESW Sec 34 T 44N R 05W
In: SESW Sec 34 T 44N R 05W
Use: Domestic (0.04 cfs)

RECEIVED

AUG 12 1983

Department of Water Resources
Northern District Office

92-7143
Name: Raleigh A. Hughes, Jr. and Ardys Hughes
Address: Rt. 4, Box 11, St. Maries, Idaho 83861
Date Filed: June 23, 1983
Source: Groundwater
Point of Diversion: NWNW Sec 25 T 46N R 02W
In: NWNW Sec 25 T 46N R 02W for 2 acres
Use: Irrigation (0.06 cfs); Domestic (0.06 cfs)

Notice of applications for water rights filed

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

91-7081
Name: Clay and-or Jann Julian
Address: Rt. 2, Box 196-H, St. Maries, Idaho 83861
Date Filed: June 22, 1983
Source: Spring tributary to Hells Gulch Creek, Unnamed Stream tributary to Hells Gulch Creek
Point of Diversion: SWNW Sec 35 T 47N R 02W
In: SWNW Sec 35 T 47N R 02W for 1 acre
Use: Irrigation (0.02 cfs); Stockwater (0.02 cfs); Domestic (0.04 cfs)

91-7082
Name: Lynn and-or JoAnne LaForce
Address: Rt. 2, Box 196M, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Groundwater
Point of Diversion: NENE Sec 03 T 46N R 02W
In: NWNE SWNE SENE Sec 03 T 46N R 02W NENE Sec 03 T 46N R 02W for 14 acres
Use: Irrigation (0.0350 cfs); Domestic (0.0350 cfs)

91-7083
Name: Lynn and-or JoAnne LaForce
Address: Rt. 2, Box 196M, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Hells Gulch Creek tributary to Saint Joe River
Point of Diversion: NWNW Sec 02 T 46N R 02W
In: NWNW Sec 02 T 46N R 02W NENE Sec 03 T 46N R 02W for 39 acres
Use: Irrigation (0.75 cfs)

92-7142
Name: Thomas C. Morris
Address: 910 Highland Drive, St. Maries, Idaho 83861
Date Filed: June 23, 1983
Source: Unnamed Stream tributary to Saint Maries River
Point of Diversion: SESW Sec 25 T 46N R 02W
In: SESW Sec 25 T 46N R 02W
Use: Stockwater Storage (3.5 AF); Recreation Storage (3.5 AF)

In: SWSE Sec 35 T 44N R 03W for acres
Use: Irrigation (0.10 cfs); Irrigation Storage (1.0 AF); Irrigation from Storage (1.0 AF); Stockwater Storage (1.0 AF)

92-7147
Name: Edna M. Dawson
Address: Rt. 4, Box 168, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Groundwater
Point of Diversion: SWSE Sec 28 T 44N R 02W
In: SWSE Sec 28 T 44N R 02W
Use: Commercial (0.04 cfs)

92-7148
Name: Jim and-or Karen Anderson
Address: 2211 Ora Ave., St. Maries, Idaho 83861
Date Filed: June 29, 1983
Source: Groundwater
Point of Diversion: SENE Sec 25 T 46N R 03W
In: SENE Sec 25 T 46N R 03W
Use: Domestic (0.04 cfs)

92-7149
Name: Roland J. Houle
Address: E. 4275 20th, Post Falls, Idaho 83854
Date Filed: June 28, 1983
Source: Springs tributary to Sinks
Point of Diversion: NWSW NESW Sec 24 T 44N R 01W
In: NWSW Sec 24 T 44N R 01W NESW NWSW Sec 24 T 44N R 01W for 8 acres
Use: Irrigation (0.15 cfs); Stockwater (0.02 cfs)

92-7150
Name: Marmaduke M. Harris
Address: P.O. Box 428, St. Maries, Idaho 83861
Date Filed: June 28, 1983
Source: Renfro Creek tributary to Saint Maries River
Point of Diversion: NENE Sec 22 T 44N R 01W
In: NENE SENE Sec 22 T 44N R 01W for 30 acres
Use: Irrigation (0.20 cfs); Stockwater (0.02 cfs)

92-7151
Name: Steven W. Barnhart
Address: Rt. 4, Box 220 A, St. Maries, Idaho 83861
Date Filed: June 28, 1983
Source: Spring tributary to Santa Creek, Unnamed Stream tributary to Santa Creek
Point of Diversion: NWSW Sec 01 T 43N R 03W
In: NWSW Sec 01 T 43N R 03W for 1 acre
Use: Irrigation (0.03 cfs); Domestic (0.04 cfs)

92-7152
Name: David Furrow
Address: Rt. 4, Box 222 A, St. Maries, Idaho 83861
Date Filed: June 28, 1983
Source: Santa Creek tributary to St. Maries River
Point of Diversion: NWSW Sec 36 T 44N R 03W
In: NWSW Sec 36 T 44N R 03W for 1 acre
Use: Irrigation (0.03 cfs)

91-7153
Name: Frank W. Law
Address: Rt. 4, Box 220 B, St. Maries, Idaho 83861
Date Filed: June 28, 1983
Source: Spring tributary to Santa Creek, Unnamed Stream tributary to Santa Creek
Point of Diversion: SENW Sec 01 T 43N R 03W
In: SENW Sec 01 T 44N R 03W for 1 acre
Use: Irrigation (0.03 cfs); Domestic (0.04 cfs)

93-7041
Name: Albert L. Halverson
Address: P.O. Box 149, St. Maries, Idaho 83861
Date Filed: June 24, 1983
Source: Unnamed Stream tributary to Hangman Creek
Point of Diversion: Lot 04 SENW Sec 04 T 43N R 03W
In: Lot 04 Sec 04 T 43N R 03W
Use: Domestic (0.04 cfs)

T. 44 N
R. 1 W.

pu

79/0

Renfrew

A topographic map of Wilson Mountain. The map features several contour lines representing elevation. A prominent peak is shown in the upper right quadrant, with a small circle indicating the summit. The word "Wilson" is written in a stylized font across the upper part of the map, and "Mountain" is written across the lower part. The map is oriented with the peak towards the top right.

Rock

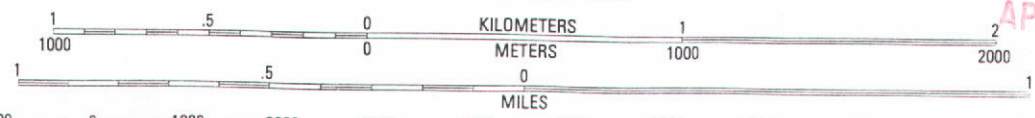
Wi

545

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—199

APR 23 1997

IDAHO



↓ intake

92-07150



log diversion



↑
intake

Pond



APR 23 1997

92-07150



Drop Box to
Out let



out let

MICROFILMED
APR 23 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07150

Priority: June 28, 1983

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

90.1 AF

This is to certify, that MARMADUKE M HARRIS
PO BOX 428

ST MARIES ID 83861 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 28, 1983; and
has submitted Proof of Beneficial Use on August 27, 1993. An examination indicates
that the works have a diversion capacity of 0.200 cfs of water from:

RENFRO CREEK

tributary to ST. MARIES RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.01 CFS	0.1 AF
IRRIGATION STORAGE	01/01 to 12/31		2.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		2.0 AF
RECREATION	01/01 to 12/31	0.20 CFS	87.9 AF
RECREATION STORAGE	01/01 to 12/31		2.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		2.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
Totals		0.20 CFS	90.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 22, Township 44N, Range 01W
BENEWAH County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
44N	01W	22	NENE	2		2

Total number of acres irrigated: 2

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

RECREATION, same as IRRIGATION use

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

WATER RIGHT NO. 92-07150

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.
6. Water shall not be diverted from storage for fire protection use 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 6th
day of December, 1996.


Acting for KARL J. DREHER, Director

10/93

RECEIVED

DEC 01 1993

NORTHWEST REGION
IDWR**RECEIVED**

DEC 06 1993

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Receipt No. 1007076
Received By North ern
Date 10-18-93**APPLICATION FOR AMENDMENT OF A PERMIT**Applicant Marmaduke Harris Phone 245-4089Address P.O. Box 248 St. Maries, Id. 83861I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 92-07150, and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: Change point of diversion Add point of diversion
Change place of use X Change nature of use Change period of use Other1. Point of diversion: 1/4 NE 1/4 NE 1/4, Section 22, Township 44N, Range 1W, B.M.,
County of Benewah. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 2.0 AFA Recr. Stg. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount 0.20 CFS for Div. to Stg. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount 2.0 AFA for Irr. Stg. purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount 2.0 AFA for Fire P. fm Stg. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	1W	22	* (Div. to Stg.)																
			FS																
			Fm Stg																
			5																
			Irr Fm Stg																
			RS																
			R																
			Irr Stg																

Total number of acres to be irrigated = 5

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated at the 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: MICRO FILLED

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

SEE BENEFICIAL USE REPORT.

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change

will be made at my own risk.

Signed this 29th day of November, 1993.

Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by S.W. [Signature]
Publication prepared by N/A

Date 12/6/96

Published in	Publication dates
--------------	-------------------

L. GLEN SAXTON

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment provided the conditions as set

forth in Permit No. 92-07150 are met.

Witness my hand this _____ day of _____

(92-07150)

day of

SIGNATURE

96 61

RECEIVED
AUG 27 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 50.00
Date 8-27-93
Receipt No. CA28453
Receipt by CA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 92-07150 Telephone No. (208) 245-4089
2. Name(s) of Permit Holder(s): Marmaduke M. Harris
3. Mailing Address: P. O. Box 428 St. Maries, Idaho 83861
4. Source of Water: Renfro Creek

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 2 (No. of acres) Other Stocked fish pond

6. Total rate and/or volume for which proof is submitted 0.20 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ✓ No _____ Installed? _____ Yes _____ No

OR
Flow Measurement Port: Required? _____ Yes _____ No _____ Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Marmaduke M. Harris (208) 245-4089

Name Telephone No.

P. O. Box 428 St. Maries, Idaho 83861

Address

10. 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.

MICROFILMED

APR 23 1997

Aug 28, 93
Date

Marmaduke M. Harris
Signature (and title, if on behalf of a company or organization)

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by CP
Date 8-30-88
Receipt # C002396

JAN 23 1989

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof
Department of Water Resources of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 92-7150

Name(s) of Permit Holder: Marmaduke M. Harris or Glenda M. Harris Husband and wife

Post Office Address: P. O. Box 428 St. Maries, Idaho 83861

Telephone No. (208) 245 4089

Date Proof is Due: January 19, 1994

Describe what work has been completed toward the development of this water right: Pond ^{has} been constructed
(This must be filled out! If no work has been completed, show "none".)

creek diversion system is completed, and inlet/outlet culverting is complete.

Essential Fish and Game permits have been submitted and an initial inspection by
that department has been completed.

Costing \$ 1,598.48

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Extensive delays in obtaining Department of Fish and Game permission to proceed.

Approximately 3 acres of seedling trees are being irrigated by portable means at
the present time. Approximately 100 stock from the Zenner Brothers used the water
last grazing season.

Permit holder(s) request an extension to January 19, 1994
(1 yr. minimum)

Marmaduke M. Harris
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MAR 06 1989

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 1993.

Signed this 31st day of January, 19 89.

L. Glen Saxton
Chief, Water Allocation Section

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 MARMADUKE M. HARRIS Phone 245-4089
Post office address Box 428 St. MARIES, ID. 83861
2. Source of water supply RENFRO CREEK which is a tributary of St. MARIES RIVER.
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 44N
Range 1W B.M. Benewah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 cfs for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or 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:

- a. .020 cfs cubic feet per second and/or b. _____ acre-feet per annum.

Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. pump, motor, pipeline
and sprinkler.

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

- (1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 44N
Range 1W 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 10 head of cattle

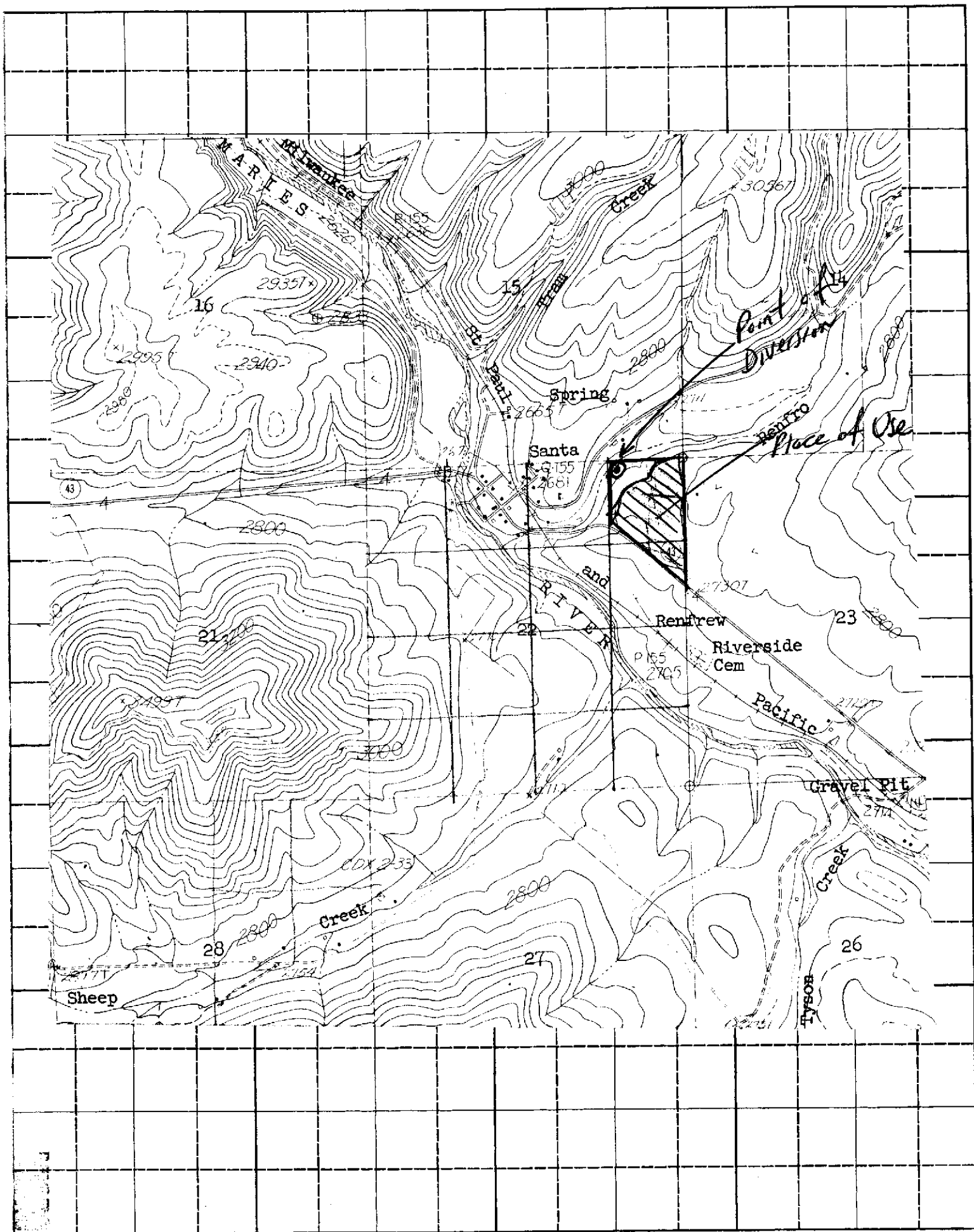
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

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

[illegible]

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

10. Remarks



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.

+ Manuel M. Garcia
(Applicant)

Received by JB Date 6/28/83 Time 12:30p

Preliminary check by JB Fee \$ 30.00

Received by JB Date 6/28/83 # 28378

Publication prepared by JB Date 7/6/83

Published in Idaho Water Review

Publication dates 7/13-22/83

Publication approved JB Date 8/6/83

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JB Date _____

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. 92-7150, and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 88.

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.

Witness my hand this 13th day of September, 1983.

J. 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 13th day of July, 1983 and the last on the 20th day of July, 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.

Subscribed and sworn to before me this 17th day of Aug., 1983.

Sharon D. Black

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

92-7144

Name: Benjamin F. Schrengohst
Address: Rt. 1, Box 193, St. Maries, Idaho 83861
Date Filed: June 24, 1983
Source: Alder Creek, North Fork tributary to Alder Creek
Point of Diversion: Lot 02 Sec 05 T 44N R 03W
In: Lot 02 Sec 05 T 44N R 03W for 1 acre
Use: Irrigation (0.03 cfs)

92-7145

Name: Art H. and-or Georgene B. Shamel
Address: 331 College Ave., St. Maries, Idaho 83861
Date Filed: June 24, 1983
Source: Groundwater
Point of Diversion: NWSW Sec 27 T 46N R 02W
In: Lot 03 Lot 02 Sec 27 T 46N R 02W for 52 acres
Use: Irrigation (0.20 cfs); Stock-water (0.02 cfs); Domestic (0.12 cfs)

92-7146

Name: William L. and-or Rebecca A. Rhodes
Address: Rt. 4, Box 214, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Springs tributary to Santa Creek, Unnamed Stream tributary to Santa Creek
Point of Diversion: SWSE Sec 35 T 44N R 03W

93-7043

Name: Bill and-or Ruth Rosenberg
Address: Star Route, Box 58, DeSmet, Idaho 83824
Date Filed: June 28, 1983
Source: Spring tributary to Sinks
Point of Diversion: NENE Sec 33 T 44N R 05W
In: NENE Sec 33 T 44N R 05W
Use: Stockwater (0.02 cfs); Domestic (0.04 cfs)

93-8373

Name: Muriel J. Innes
Address: P.O. Box 345, Plummer, Idaho 83851
Date Filed: June 9, 1983
Source: Groundwater
Point of Diversion: NWSW Sec 11 T 46N R 05W
In: SWNW NWSW Sec 11 T 46N R 05W for 40 acres
Use: Irrigation (0.40 cfs); Stock-water (0.02 cfs); Domestic (0.13 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 August 1, 1983.

KEN DUNN, Dir.

No. 7169 - July 13-20.

93-7042
Name: Gary A. and-or Kathleen E. Johnson
Address: Star Route, Box 20, DeSmet, Idaho 83824
Date Filed: June 27, 1983
Source: Spring tributary to Sinks
Point of Diversion: SESW Sec 34 T 44N R 05W
In: SESW Sec 34 T 44N R 05W
Use: Domestic (0.04 cfs)

AUG 12 1983

Department of Water Resources
Northern District Office

92-7143
Name: Raleigh A. Hughes, Jr. and Ardys Hughes
Address: Rt. 4, Box 11, St. Maries, Idaho 83861
Date Filed: June 23, 1983
Source: Groundwater
Point of Diversion: NWNW Sec 25 T 46N R 02W
In: NWNW Sec 25 T 46N R 02W for 2 acres
Use: Irrigation (0.06 cfs); Domestic (0.06 cfs)

Notice of applications for water rights filed

NOTICE OF APPLICATION FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

91-7081

Name: Clay and-or Jann Julian
Address: Rt. 2, Box 198-H, St. Maries, Idaho 83861
Date Filed: June 23, 1983
Source: Spring tributary to Hells Gulch Creek, Unnamed Stream tributary to Hells Gulch Creek
Point of Diversion: SWNW Sec 35 T 47N R 02W
In: SWNW Sec 35 T 47N R 02W for 1 acre
Use: Irrigation (0.02 cfs); Stock-water (0.02 cfs); Domestic (0.04 cfs)

91-7082

Name: Lynn and-or JoAnne LaForce
Address: Rt. 2, Box 196M, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Groundwater
Point of Diversion: NENE Sec 03 T 46N R 03W
In: NWNE SWNE SENE Sec 03 T 46N R 02W NENE Sec 03 T 46N R 02W for 14 acres
Use: Irrigation (0.0350 cfs); Domestic (0.0350 cfs)

91-7083

Name: Lynn and-or JoAnne LaForce
Address: Rt. 2, Box 196M, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Hells Gulch Creek tributary to Saint Joe River
Point of Diversion: NWNW Sec 02 T 46N R 02W
In: NWNW Sec 02 T 46N R 02W NENE Sec 03 T 46N R 02W for 39 acres
Use: Irrigation (0.75 cfs)

92-7142

Name: Thomas C. Morris
Address: 910 Highland Drive, St. Maries, Idaho 83861
Date Filed: June 23, 1983
Source: Unnamed Stream tributary to Saint Maries River
Point of Diversion: SESW Sec 25 T 46N R 02W
In: SESW Sec 25 T 46N R 02W
Use: Stockwater Storage (3.5 AF); Recreation Storage (3.5 AF)

In: SWSE Sec 35 T 44N R 03W for 1 acre
Use: Irrigation (0.10 cfs); Irrigation Storage (1.0 AF); Irrigation from Storage (1.0 AF); Stockwater Storage (1.0 AF)

92-7147

Name: Edna M. Dawson
Address: Rt. 4, Box 168, St. Maries, Idaho 83861
Date Filed: June 27, 1983
Source: Groundwater
Point of Diversion: SWSE Sec 28 T 44N R 02W
In: SWSE Sec 28 T 44N R 02W
Use: Commercial (0.04 cfs)

92-7148

Name: Jim and-or Karen Anderson
Address: 2211 Ora Ave., St. Maries, Idaho 83861
Date Filed: June 29, 1983
Source: Groundwater
Point of Diversion: SENE Sec 25 T 46N R 03W
In: SENE Sec 25 T 46N R 03W
Use: Domestic (0.04 cfs)

92-7149

Name: Roland J. Houle
Address: E. 4375 20th, Post Falls, Idaho 83854
Date Filed: June 28, 1983
Source: Springs tributary to Sinks
Point of Diversion: NWSW NWSW Sec 24 T 44N R 01W
In: NWSW Sec 24 T 44N R 01W NWSW NWSW Sec 24 T 44N R 01W for 3 acres
Use: Irrigation (0.15 cfs); Stock-water (0.03 cfs)

92-7150

Name: Martin Duke M. Harris
Address: P.O. Box 428, St. Maries, Idaho 83861
Date Filed: June 28, 1983
Source: Rendo Creek tributary to Saint Maries River
Point of Diversion: NENE Sec 22 T 44N R 01W
In: NENE SENE Sec 22 T 44N R 01W for 20 acres
Use: Irrigation (0.20 cfs); Stock-water (0.03 cfs)

92-7151

Name: Steven W. Barnhart
Address: Rt. 4, Box 220 A, St. Maries, Idaho 83861
Date Filed: June 24, 1983
Source: Spring tributary to Santa Creek, Unnamed Stream tributary to Santa Creek
Point of Diversion: NWSW Sec 01 T 43N R 03W
In: NWSW Sec 01 T 43N R 03W for 1 acre
Use: Irrigation (0.03 cfs); Domestic (0.04 cfs)

92-7152

Name: David Furrow
Address: Rt. 4, Box 222 A, St. Maries, Idaho 83861
Date Filed: June 28, 1983
Source: Santa Creek tributary to St. Maries River
Point of Diversion: NWSW Sec 36 T 44N R 03W
In: NWSW Sec 36 T 44N R 03W for 1 acre
Use: Irrigation (0.03 cfs)

91-7153

Name: Frank W. Law
Address: Rt. 4, Box 220 B, St. Maries, Idaho 83861
Date Filed: June 23, 1983
Source: Spring tributary to Santa Creek, Unnamed Stream tributary to Santa Creek
Point of Diversion: SENW Sec 01 T 43N R 03W
In: SENW Sec 01 T 44N R 03W for 1 acre
Use: Irrigation (0.03 cfs); Domestic (0.04 cfs)

93-7041

Name: Albert L. Halverson
Address: P.O. Box 149, St. Maries, Idaho 83861
Date Filed: June 24, 1983
Source: Unnamed Stream tributary to Saint Maries River
Point of Diversion: Lot 04 SENW Sec 04 T 43N R 03W
In: Lot 04 Sec 04 T 43N R 03W
Use: Domestic (0.04 cfs)



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 10, 1996

MARMADUKE M HARRIS
PO BOX 428
ST MARIES ID 83861

RE: WATER RIGHT NO. 92-07150

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment. Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

140130-1300

APR 23 1997

WR0749NP
No. L92-07150

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/04/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARMADUKE M HARRIS PO BOX 428 ST MARIES ID 83861	06/28/1983	IRRIGATION	03/15 11/15	0.010 CFS	0.10 AFA
			IRRIGATION STORAGE	01/01 12/31		2.00 AFA
			IRRIGATION FROM STORAGE	03/15 11/15		2.00 AFA
			RECREATION	01/01 12/31	0.200 CFS	87.90 AFA
			RECREATION STORAGE	01/01 12/31		2.00 AFA
			FIRE PROTECTION STORAGE	01/01 12/31		2.00 AFA
			DIVERSION TO STORAGE	01/01 12/31	0.200 CFS	
TOTAL DIVERSION:					0.200 CFS	90.10 AFA

Water Source: RENFRO CREEK

Tributary to: ST. MARIES RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.200 CFS

Point(s) of Diversion: T44N R01W S22 NENE BENENAH County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
44N	01W	22	:	02	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	2.0	
																TOTAL ACRES														2.0		

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Place of use location for RECREATION is the same location as described for: IRRIGATION

Pou County: BENENAH

Other Water Rights with Same Point(s) of Diversion and Source:
92-07150

Other Water Rights Listing Overlapping Place(s) of use:
92-07150

Remarks: This right authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.
Water shall not be diverted from storage for fire protection use under this right except to fight or repel an existing fire.

Dates: App. Received: 06/28/1983 Priority Date: 06/28/1983
Proof Due Date: 09/01/1993 Proof Made Date: 08/27/1993
Exam Made Date: 10/20/1993 Exam Sent to S.O.: 02/14/1996
Licensed Date:

WR0749NP
No. L92-07150

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/04/96
PAGE: 2

=====

Misc: Water District Number: Field Exam Fee:

Comments: Date: 12/10/1993 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
 Proof of Beneficial Use Rcvd

Audit: 09/04/96 SCURTIS 12/04/96 SCURTIS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L9207150	T44N R01W S22 RENFRO CREEK																	
	:	02																2
	NO MATCHES FOR THIS POU IN AJ-POU																	
9204032	RENFRO CRE :									02								2
9207075	RENFRO CRE :			02														2
9207150	RENFRO CRE :	25				05												30
	NO MAPPING INFO AVAILABLE																	

MEMORANDUM

TO: File 92-07150

FROM: Sharla

DATE: December 4, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 92-07150 are based on the following:

H. RECOMMENDATIONS

1. Recommended Amounts

Irrigation	3/15 - 11/15	0.02 cfs	0.1 afa
Irrig. Storage	1/1 - 12/31		2.0 afa
Irrig. From Stor.	3/15 - 11/15		2.0 afa
Recreation	1/1 - 12/31	0.20 cfs	87.9 afa
Recreation Stor.	1/1 - 12/31		2.0 afa
Fire Prot. Stor.	1/1 - 12/31		2.0 afa
Diversion to Stor.	3/15 - 11/15	0.20 cfs	

Only irrigation and stockwater were listed as uses under the original permit. The maximum amount of volume which would have been licensed for the two uses is 90.1 af (3 acres X 3.0 af = 9.0 + 0.1 af for 10 head of cattle). The other uses can be added without an expansion if the recreation use volume combined with the volume of the other uses does not exceed 90.1 af.

The "irrigation" occurring under this right is watering of trees with a total use of 25 gpd according to the examiner. The rate of diversion has been reduced to the lowest rate possible and the volume has also been calculated on the 25 gpd usage.

Fire protection from storage does not need to be listed because water can only be withdrawn from the storage facility to fight or repel fire. An amendment of permit was filed at the time of the inspection. However, with the above changes, a new amendment for licensing needs to be solicited. The fee paid on the previous amendment can be applied.

Examiner: Teresa Bright
Exam date: October 20, 1993

RECEIVED

NOV 9 3 11 PM '96

LICENSE REVIEW CHECKLIST

PERMIT NO. 92-07150

DATE 8/28/96

REVIEWER: S H A R L A

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

Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .20 cfs
 Fee limit .20 cfs \$5000
 Measured .20 cfs leaf ???
 Theoretical gravity

Recommended Total Div Rate .20 cfs

ANNUAL VOLUME/ NATURE OF USES

✓

Use Dr. .01 cfs Volume Calculation

Star. (0.1 for 1/100)	2.0	af
DW to Star. <u>N/A</u>		af
Rec. <u>.20</u>	87.9	af
SUBTOTAL	<u>91.9</u>	af

25 gpd x 245 days = .1 af

Proof says 2 ac
 25 gpd for trees, 2 ac is more reasonable than 5 (examiner)

Flow rate .20 cfs X 245 days X 1.9835 = 97.0 af

Total volume recommended 2.19 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

W07

CONDITIONS Watermaster Control WD#

 GW Measurement/Measuring Device

 Overlap not for type of use orig is in this case

 Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo ✓

1st Amend Letter P46 P38
 2nd Amend Letter P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 21 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-07150

1. Owner: Marmaduke M Harris Phone No. 208-245-4089

Current Address: PO Box 428 St. Maries, ID 83861

2. Accompanied by: Same EXAM DATE: 10/20/93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Bentfro Creek tributary to St Maries River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NE	22	44N	01W	Beneah	Map

2. Place(s) of Use:

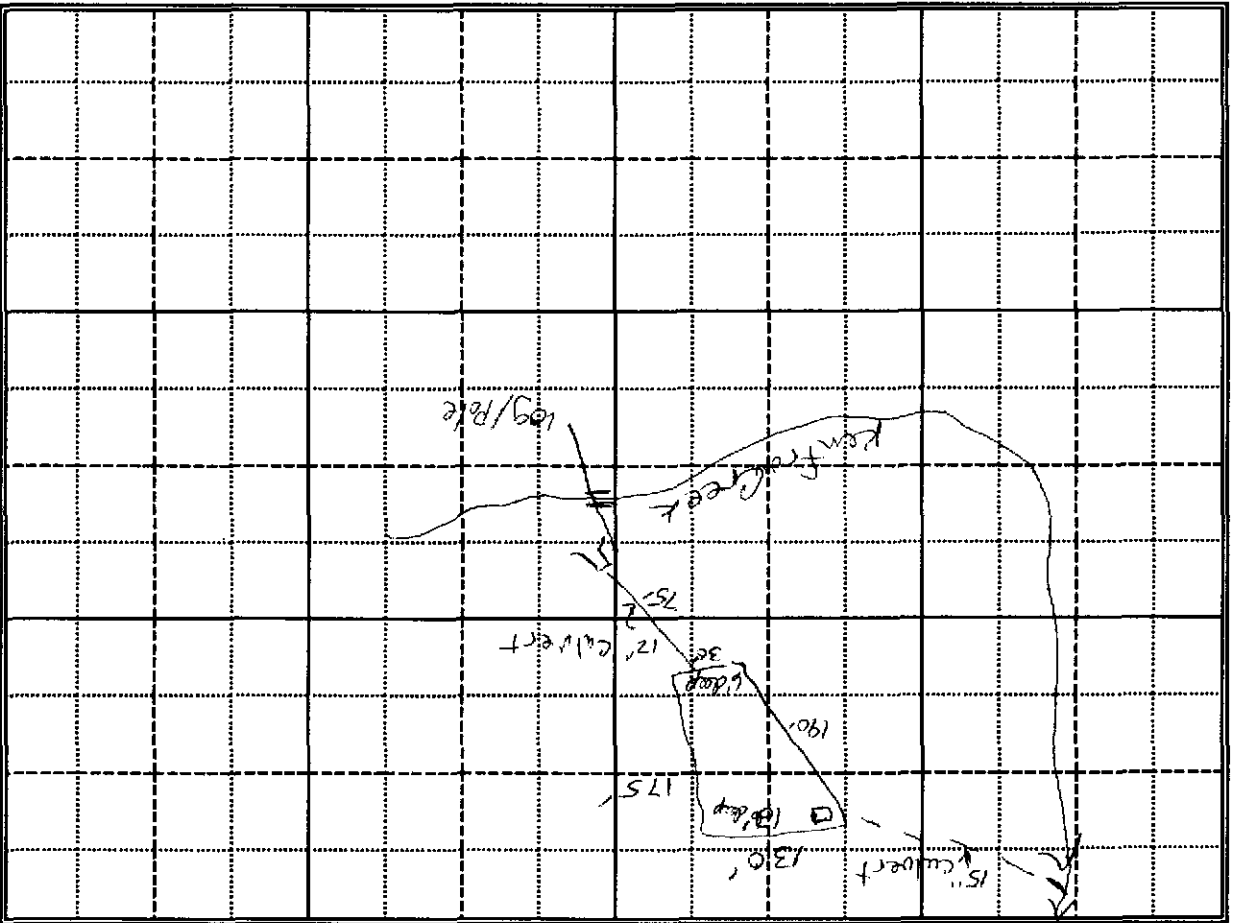
Indicate Method of Determination Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
44N	01W	22	R/STORAGE																5
			5 (STORAGE)																
			C STORAGE & FROM STORAGE																
			X DIVERSION TO STORAGE																
																			5

MOORE & HARRIS

SEP 29 1997

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



Scale 1" = 100'

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

4.

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

*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: Leaf traveled 1 foot in 5 sec. 2 0.2' per sec.

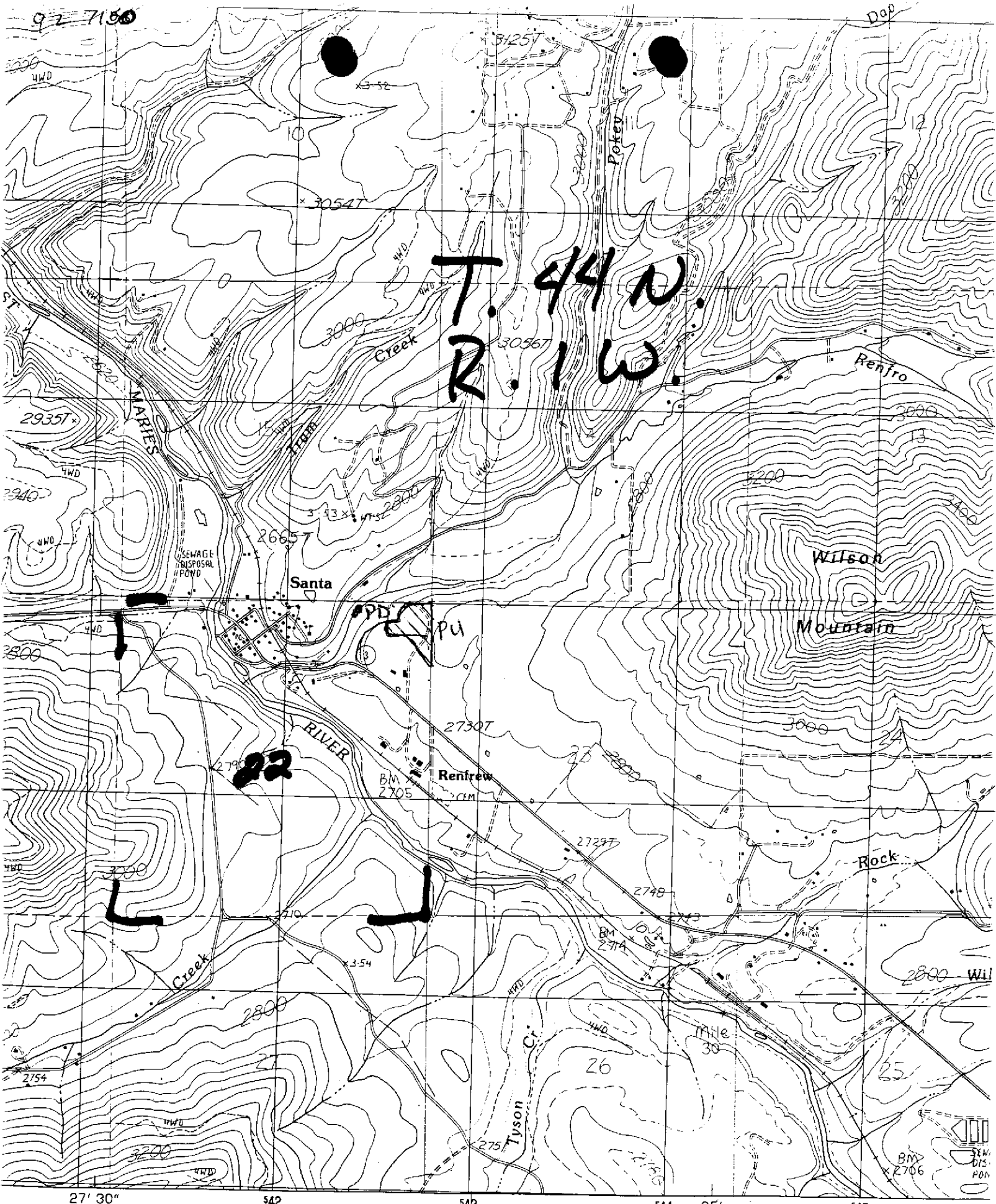
E. NARRATIVE/REMARKS/COMMENTS

A log and some rocks in Renfro Creek cause water to flow through a concrete structure with a fish screen in to a pond (see diagram for dimensions) water exits pond through a 2'x2' drop box into a 15" diameter culvert and then back into Renfro Creek. Trees are irrigated by bucket in spring & summer. Use is 25 gallons / day.

Mr Harris estimates total stream flow to be 2,000 gpm and estimates he diverts 10% which would be 200 gpm or 0.45 cfs. Permit is for 0.20 cfs.

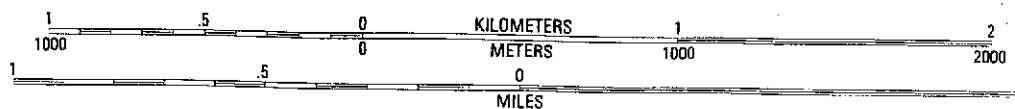
Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED
07/29/27



SCALE 1:24 000

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA—1991



IDAHO

intake

92-07150



log diversion

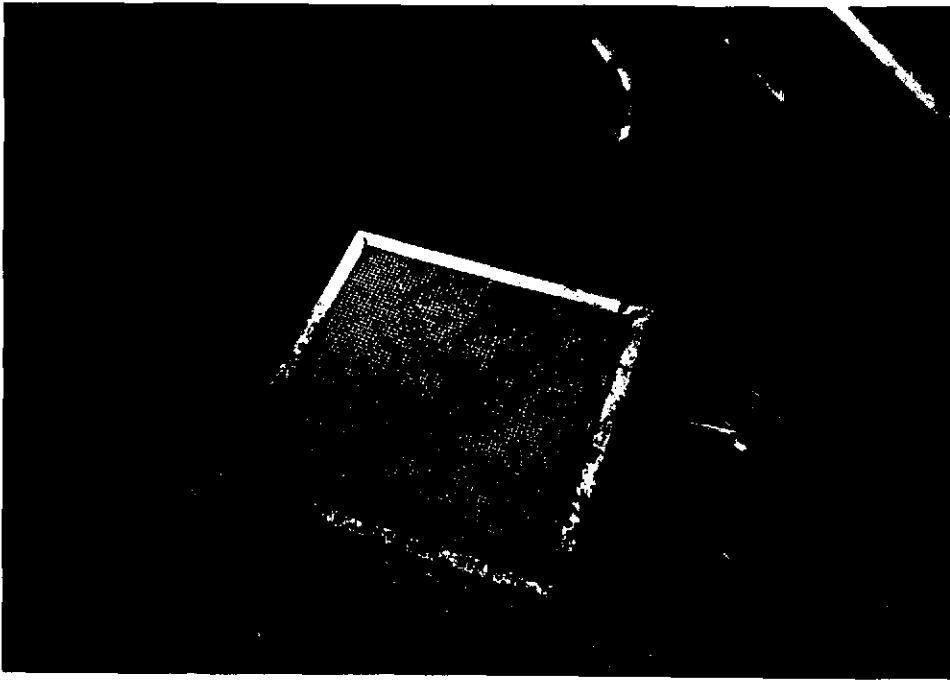


Pond



↑
intake

92-07150



Drop Box to
out let



out let

December 22, 1993

MARMADUKE M HARRIS
P O BOX 428
ST MARIES, ID 83861

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 92-07150

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Since your use has been examined by a water right examiner, the Department will review the examination for future issuance of a water right license.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Couer d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MAILED
APR 23 1994

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 92-07150

Reviewed by Jy

Date 12-22-13

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

irr, pond

Correct Uses? yes

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

50.00 Amount Submitted

yes Correct?

MEASURING DEVICE

 Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	-	<u> </u>
Date proof due	<u> </u>	=	<u> </u>
No. of days late	<u> </u>	+	<u> </u>
Priority Date	<u> </u>		<u> </u>
New Priority Date	<u> </u>		<u> </u>

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address

Proof Made 8-27-93

05
RECEIVED
DEC 02 1993
Department of Water Resources

November 24, 1993

Mr. Marmaduke Harris
P.O. Box 428
St. Maries, ID 83861

RE: Application for Amendment of a Permit (92-07150)

Dear Sir:

Please find enclosed an Application for Amendment of Permit Number 92-07150 that is based on the Beneficial Use Examination of Theresa Bright, which was conducted October 20, 1993.

Please review all of the information on the Application for Amendment of Permit, initial any changes, sign and return to this office as soon as possible. No fee is required at this time, as you have already submitted the fee October 18, 1993, as per Receipt Number N007076.

If I can be of further assistance, please contact me at this office.

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Amendment of a Permit

11/29/93

file is in field exam drawer

AB

Marmaduke M. Harris
P. O. Box 428
St. Maries, Idaho 83861

September 20, 1993

State of Idaho
Department of Water Resources
1301 Orchard Street
Boise, Idaho, 83706-2237
Attn: Karen L. Gustafson

Dear Karen,

I have tried to be as accurate as possible as to how the water I have diverted from Renfro Creek is being used.

In order to store water a pond was constructed on land I own near the creek. It was built under the guidance of the State Fish and Game agency and with their permission. After it was built I planted one thousand fingerling Kamalloop-Rainbow trout. In the beginning I had no idea if it would be successful or not, but since it has been I plan to continue to use it for that purpose. I have reported this fact on several occasions. Numerous people from all walks of life and all age groups have fished in the pond. I do not charge for this only require that they get my permission prior to fishing. Over four hundred fish have been taken and those remaining are now about 24 inches long and weigh between four to six pounds.

I also have been able to get a reduction in my property insurance as living in a rural area we do not have a qualified fire department. Having a pond nearby for fire suppression has lowered my house and lands fire risk.

In operating my tree farm since 1976 I found that new seedling trees are most vulnerable in that short period after initial planting, especially if the weather is exceptionally dry. I have planted over 10,000 tree seedlings over the past 18 years and only since I have been able to water them individually during their first year of life as their mortality rate declined to an acceptable rate.

Although I do not water stock on a regular basis I need the capability to do this should I decide to rent out my lands for grazing. With the pond and creek already no change in any amounts would be required.

Respectfully,

Marmaduke M. Harris

MAILED
SEP 22 1993

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 92-07150 Reviewed by llg Date 8/31/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? ?
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
NA Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 Amount Submitted
yes Correct?
NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

permit does not allow for storage of water

DATA ENTRY

New Address _____ Proof Made _____



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

August 31, 1993

Marmaduke M Harris
PO Box 428
St Maries, ID 83861

Re: Permit No. 92-07150

Dear Mr Harris:

The Department is receipt of the proof of beneficial use filed in connection with the above referenced permit. However, before the Department can accept the proof of beneficial use, some clarification is needed.

Your original permit was issued for irrigation of 30 acres and stockwater for 10 head of cattle. It was NOT issued for a stocked fish pond. This permit does not allow diversion of water to a pond or storage facility for the fish.

If you have in fact changed the use of the water since your original filing, it may be necessary to file an amendment to the permit. The amendment can change the nature of use. In most cases, the amendment will need to advertised.

Please correspond with the Department in order to clarify this situation. The Department will hold your file and subsequent information for 30 days so that you may supply the Department with the requested clarification.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,


Karen L. Gustafson
Secretary/Records Manager

10/17/93

AM 2 3 37

June 30, 1993

MARMADUKE M. HARRIS
P.O. BOX 428
ST. MARIES ID 83861

PROOF DUE NOTICE

RE: PERMIT NO. 92-07150

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 September 1, 1993. (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.

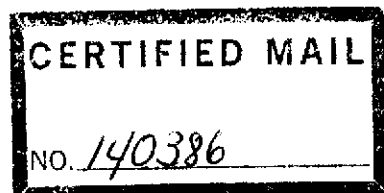
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MAILED 10/1/93
APR 21 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 92-7150

Name(s) of Permit Holder(s): MARSHALL M. HARRIS

Post Office Address: Box 428 ST. MARIES

ID

83861

Tel. No. 245-4089

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____ (date) I understand that I must

continue to develop the water system with due diligence to maintain a valid permit.

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

WET GROUND

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

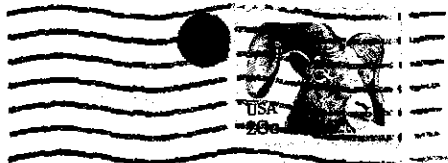
MAY 3, 1984

Date

Marshall M. Harris

Signature of Permit Holder

MARMA E M HARRIS M
P O BOX 426
SAINT MARIES, IDAHO
83861



RECEIVED
MAY 7 1984

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

APR 23 1997

February 8, 1989

Marmaduke M. or Glenda M. Harris
P.O. Box 428
St. Maries, ID 83861

Re: Permit No. 92-7150

Dear Mr. and Mrs. Harris:

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use form is extended to September 1, 1993.

Returned is the request for extension previously submitted on August 29, 1988.

Please be advised, no more requests for an extension will be approved based on due diligence.

If you have any questions or concerns regarding the permit, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 06 1989

RECEIVED

JAN 23 1989

Marmaduke M. Harris
P. O. Box 428
St. Maries, Idaho 83861

Department of Water Resources

January 19, 1989

Department of Water Resources
State of Idaho
Boise, Idaho 83720
Attn: Rita I. Fleck

Dear Rita,

I certainly hope this will clear up this matter, and that I can proceed with the fish planting that I planned for this Spring. I have tried to indicate as closely as possible how the water has been used thus far. I have difficulty in estimating how many cattle use the water because of the total number that are grazed on the adjoining property that reach through my fence and drink. They are only on the land for three to five months depending on how long the grass lasts. I still plan on only seven to fifteen on my own land from time to time as the market demands..

As I have indicated I plant from three to five hundred seedling trees per year and will continue to do so indefinitely.

Respectfully,

Marmaduke M. Harris

RECEIVED

MAR 06 1989

January 6, 1989

Marmaduke M. Harris
P. O. Box 428
St. Maries, ID 83861

Dear Mr. Harris:

Re: Permit No. 92-7150

I received and reviewed your correspondence of December 28, 1988 regarding the extension of time requested on this permit.

Although we have identified the project covered by this permit as being irrigation and stockwater from Renfro Creek, the extension request must now reflect the development of these water uses. Please complete the enclosed form addressing how many acres, if any are presently under irrigation and to what extent the stockwater is being used. (The previous extension request discusses the use of water for fish propagation which is not applicable to this permit). Do not enclose fee.

Second, I understand that you are putting this project in by stages; so many acres a year. I suggest you request the number of years needed to complete the project up to five years. No further extensions can be granted based on due diligence after this one.

Upon receipt of the extension of time, the department will return the previous extension form, convey the receipt number to the new one and complete action of the director.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
MAR 06 1989

REC-111

DEC 30 1988

Marmaduke M. Harris
P. O. Box 428
St. Maries, Idaho 83861

Department of Water Resources

December 28, 1988

Rita I. Fleck
Department of Water Resources
STATE OF IDAHO
Boise, Idaho 83720

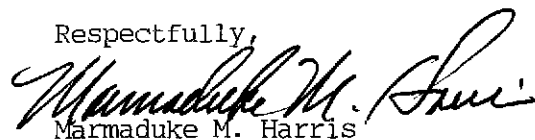
Dear Rita,

In my original water permit application I hope that I did not indicate irrigation of 30 acres, but irrigation on 30 acres. I am in the tree farm management program, working with the local soil conservation service, the University of Idaho and the State Department of Lands in a reforestation project. I have been working on this objective for the past twelve years. Each year I have planted seedling trees scattered in one to two acre plots on my property and when we have dry summers like this past one I loose several hundred seedlings due to the lack of moisture. I had hoped to provide a watering system to prevent these annual losses. My domestic water system does not have sufficient capacity to handle this additional load. In total I will not have more than five to ten acres in this scheme at one time. Water application will only be made during the extremely dry summer months which are totally unpredictable.

From time to time I lease out pasture land for grazing horse or cattle, depending on demand. This activity varies from season to season, but ranges from seven to fifteen head per season. These animals will use the stock pond for their water.

I hope this information will answer your remaining questions and finalize my permit process. However, I am anxious to cooperate in any way necessary to comply with state regulations.

Respectfully,


Marmaduke M. Harris

MICROFILMED

MAR 06 1989

December 12, 1988

Maraduke M. Harris
P. O. Box 428
St. Maries, ID 83861

Dear Mr. Harris:

Re: Permit No. 92-7150

Thank you for your letter dated November 7, 1988. Several more questions need to be addressed before the department can take action on the pending request for extension of time.

The application for permit was filed for irrigation of 30 acres. Is there water being diverted and applied to irrigate any acreage?

The application was also filed for stockwater for ten head of cattle. Is there a stockwater use? If so, how many head?

Fish propagation is considered a beneficial use of water even though the use of water is non-consumptive. At this time, you do not have a valid water right filing to divert water for fish propagation. However, if the proposed uses, that is stock and irrigation, have not been developed or not developed to the full extent as proposed by the permit, then it may be possible to change the nature of use as proposed by the permit and include the fish propagation. I cannot determine this, however, until I know if you have developed the irrigation and/or stockwater uses and to what extent.

Please advise this information within thirty days. After I evaluate your information, I can advise you what action the department will take.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

UNRECORDED

MAR 06 1989

RECEIVED
NOV 09 1988

Marmaduke M. Harris
P. O. Box 428
St. Maries, Idaho 83861
Department of Water Resources

November 7, 1988

Rita I. Fleck
Secretary/Records Manager
Department of Water Resources
State of Idaho
Boise, Idaho 83720

Dear Rita,

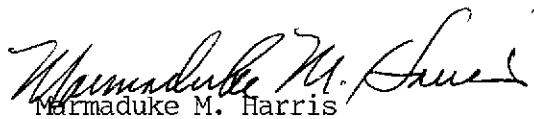
In reply to your letter of October 25, 1988 and your request for clarification, I would like to submit the following information.

When I received my initial water permit and began planning for a pond I was told by local Fish and Game Officials that since the pond was in close proximity to a stream bed that I would need their approval and permission. I discussed this with the former Fish and Game Department officer assigned to Benewah County. During these discussions he said that he thought my plan was acceptable and that I could easily add fish propagation without any change in design.

I immediately applied for the necessary permit in order to obtain the Fish and Game Department approval to proceed with construction and their approval to include fish propagation. All of this work has been done and I am now ready for their final inspection. Because of the ponds location and the probability of success I decided to add this to my pond construction design.

Since the water diversion necessary to fill the pond enters the East end of the pond and exits the West end I am not consuming any water in the fish propagation portion. I did not feel that this kind of activity which does not diminish the stream flow affected my other use water right application. I hope that I have not done anything wrong in so far as my water rights for other purposes.

Respectfully,


Marmaduke M. Harris

MICROFILMED

MAR 06 1989

MARMADUKE M HARRIS
P O BOX 428
SAINT MARIES, IDA.
83861



Department of Water Resources
State of Idaho
1301 North Orchard Street
Boise, Idaho 83706-2237
ATTN: Rita I. Fleck



October 25, 1988

Marmaduke M. Harris
P. O. Box 428
St. Maries, ID 83861

Re: Permit No. 92-7150

The department received the request for extension of time form submitted to this office on August 29, 1988. I've only recently had an opportunity to review for action and find that before the department does take action on it, I need some clarification.

The extension request discusses the use of water for fish propagation. The permit was issued for irrigation and stockwater purposes. Is there a change in nature of use? Or, do you have another permit for the diversion of water for fish propagation?

Please advise me in this matter within thirty days.

If you wish to discuss this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure - receipt

MICROFILMED

MAR 06 1989

CERTIFIED MAIL
June 30, 1988

HARRIS, MARMADUKE M.
P.O. BOX 428
ST. MARIES, ID 83861

138110

PROOF DUE NOTICE

RE: Permit No. 92-7150

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 September 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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECORDED

MAR 06 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HARRIS, MARMADUKE M.
P.O. BOX 428
ST. MARIES, ID 83861

SEPTEMBER 27, 1983

RE: PERMIT NO. 92-7150

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.

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.

SINCERELY,

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

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: LB

APPLICATION NUMBER: 92-7150

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.
☐ 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.

Field check by: _____

Date: _____

Comments: _____

*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. 8/1/83
Final date for protests: 8/1/83
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/2/83
☒ 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? _____
6/28/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW:

By: [Signature]

Date: 9/1/83

L 17

26

☐ See attached sheet for more information.

By: DRT

Date: 9/9/83

RECEIVED
SEP 07 1983
Department of Water Resources

92-7150-

HARRIS, MARMADUKE M.

P.O. BOX 428, ST. MARIES, ID 83861

Source: RENFRO CREEK trib. to SAINT MARIES RIVER

Date Filed: 06/28/1983

Diversion Pt: NENE Sec 22 T 44N R 01W

Use: IRRIGATION	(0.20 CFS)
STOCKWATER	(0.02 CFS)

In: NENE SENE Sec 22 T 44N R 01W FOR 30 ACRES

APPROPRIATION