

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07113

Priority: January 21, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.06 CFS
3.1 AF

This is to certify, that ESTATE OF RODNEY L. DUTRO
C/O ELLA RAE DUTRO
P.O. BOX 163
SANTA, ID 83866

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 21, 1983; and
has submitted Proof of Beneficial Use on February 26, 1988. An examination indicates
that the works have a diversion capacity of .160 cfs of water from:

RENFRO CREEK tributary to SAINT 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	0.02 CFS	3.0 AF
RECREATION	01/01 to 12/31	0.04 CFS	0.1 AF
	Totals	0.06 CFS	3.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 13, 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	13	NENW	1		1

Total number of acres irrigated: 1

PLACE OF USE: RECREATION, same as IRRIGATION use

CONDITIONS/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 which 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.

AUG 22 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

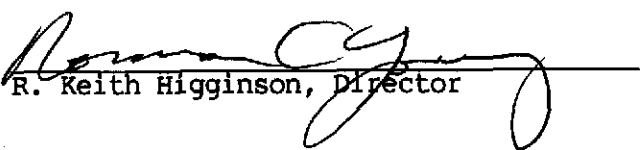
WATER RIGHT NO. 92-07113

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

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 16TH day of AUGUST, 1991.

Acting for


R. Keith Higginson, Director

AUG 22 1991

RECEIVED
JUL 14 1991

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 92-07113

APPROVED

Department of Water Resources

Date of Priority: January 21, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.06 CFS
3.1 AF

Comes now
C/O ELLA RAE DUTRO
P.O. BOX 163
SANTA, ID 83866

ESTATE OF RODNEY L. DUTRO

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 92-07113, and requests that the permit be changed as follows:

Source: RENFRO CREEK

tributary to SAINT MARGIES RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	3.0 AF
RECREATION	01/01 to 12/31	0.04 CFS	0.1 AF
	Totals	0.06 CFS	3.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 13, 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	13	NENW	1		1

Total number of acres irrigated: 1

PLACE OF USE: RECREATION, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this 17th day of July, 1991.

Ella Rae Dutro
(Signature)

MICROFILMED

AUG 22 1991

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 92-07113

FOR DEPARTMENT USE ONLY

C021242

Preliminary check by SW Fee = \$20.00

Received by Jy Date 7-19-91

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 92-07113 with the following;

CONDITIONS/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 which 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 when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 16TH day of AUGUST, 1991.

Acting for

R. Keith Higginson
R. Keith Higginson, Director

RECEIVED

AUG 22 1991

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 RODNEY L. DUTRO Phone 245-4752
Post office address Box 163 SANTA, ID 83866
2. Source of water supply RENFRO CREEK which is a tributary of ST. MARIES RIVER
3. Location of point of diversion is NE 1/4 of NW 1/4 of Section 13 Township 44N
Range 1W B.M. BENEWAH County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 for IRRIGATION purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for STOCKWATER purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for DOMESTIC 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. 0.10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PUMP & 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 _____ 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 1/4 of NW 1/4 of Section 13 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 5 HEAD OF CATTLE

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

(5) Water is to be used for other purposes describe: _____

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

Who owns the property at the point of diversion

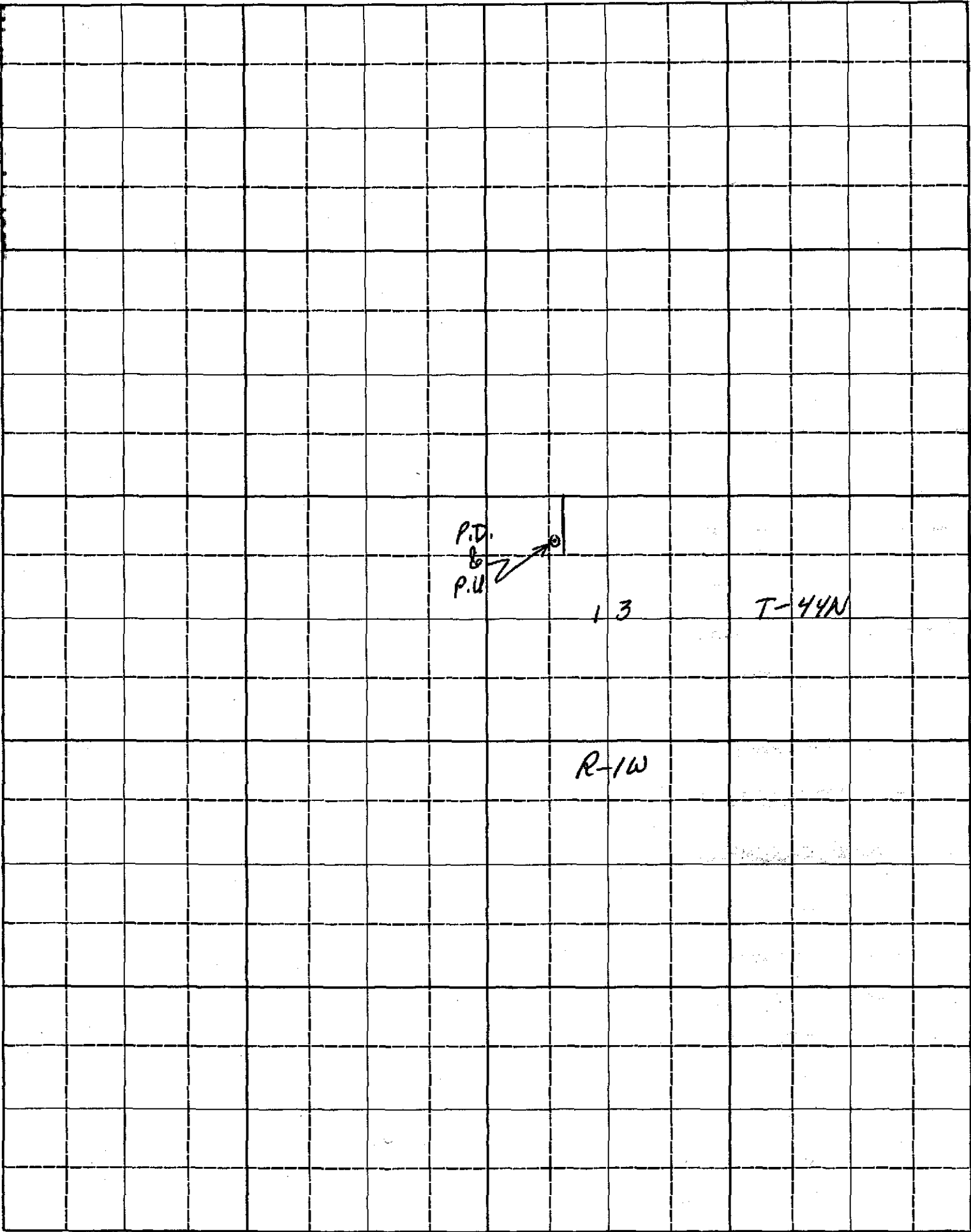
Describe any other water rights used for the same purposes as described above.

None

[illegible]

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

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.

Rodney L. Puetra
(Applicant)

STAMP
IDaho

Received by KK Date 1/21/83 Time 10:15
Preliminary check by JK Fee \$ 30.00
Received by KIC Date 1/21/83 04822
Publication prepared by JK Date 1/27/83
Published in Idaho State Journal
Publication dates 2/22-2/23/83
Publication approved JK Date 2/23/83
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JK

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. 92-7113, 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 March 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 9th day of March, 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 2nd day of February, 1983, and the last on the 9th day of February, 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 11th day of Feb, 1983.

Sharon D. Blackburn

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

Water rights asked by three parties

NOTICE OF APPLICATION FOR WATER RIGHT

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

92-7112

Name: Thomas McCarthy
Address: P.O. Box 433, St. Maries, Idaho 83861

Date Filed: Jan. 21, 1983

Source: Unnamed Stream tributary to Renfro Creek, Renfro Creek tributary to Saint Maries River
Point of Diversion: NENW Sec 13 T 44N R 01W

In: NENW Sec 13 T 44N R 01W for 3 acres

Use: Irrigation (0.09 cfs); Stock-water (0.02 cfs); Domestic (0.02 cfs)

92-7113

Name: Rodney L. Dutro
Address: P.O. Box 163, Santa, Idaho 83866

Date Filed: Jan. 21, 1983

Source: Renfro Creek tributary to Saint Maries River
Point of Diversion: NENW Sec 13 T 44N R 01W

In: NENW Sec 13 T 44N 1W for 2 acres.

Use: Irrigation (0.06 cfs); Stock-water (0.02 cfs); Domestic (0.02 cfs)

92-7114

Name: Jack and-or Linda Allman
Address: P.O. Box 124, Santa, Idaho 83866

Date Filed: Jan. 20, 1983

Source: Groundwater
Point of Diversion: SWSE Sec 14 T 44N R 01W

In: SWSE Sec 14 T 44N R 01W
Use: Stockwater (0.02 cfs); Domestic (0.04 cfs)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814 on or before February 22, 1983.

KEN DUNN, Dir.

No. 7028 — Feb. 2-9.

MICROFILMED

RECEIVED

1983

August 20, 1991

ESTATE OF RODNEY L. DUTRO
C/O ELLA RAE DUTRO
P.O. BOX 163
SANTA, ID 83866

RE: WATER RIGHT NO. 92-07113

Dear Water Right Holder(s):

Enclosed herewith 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 feel free to contact our office.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

AUG 22 1991

July 8, 1991

ESTATE OF RODNEY L. DUTRO
C/O ELLA RAE DUTRO
P.O. BOX 163
SANTA, ID 83866

RE: WATER RIGHT NO. 92-07113

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

AUG 22 1991

LICENSE REVIEW CHECKLIST

Permit No. 92-7113

Name/Address change? ok ✓

Priority date Advance? yes no ✓

Memo to advance

Order to reinstate needed? yes no ✓

Total cfs Limited by fee ok

Limited by capacity _____

Total volume Limited by flow _____

Chart checked for AF rate/ac 3.0 ✓

Capacity Actual measurement checked _____

Theoretical checked 70% eff. = 2.16 cfs

If greater than permit, check for other its _____

Source Changed? yes no ✓

If so, is memo needed to clarify? _____

P/D Verify with map _____ permit _____

More than one per 44? Remember remark _____

Check p/d overlap _____

Uses Check irrigation period of use w/ chart _____ ✓

P/U Verify with map _____ permit _____

> 5 acres irrigated, run overlap _____

Remarks More than one p/d in 44 _____

Description of non-irrig uses _____

Special overlap condition _____

Conditions -

Measuring device _____
W.Master control _____
Overlap R29
Water quality _____
Other _____

Dates/Misc. -

Water Dist _____ ✓
App Rec'd _____ ✓
Proof Rec'd _____

CHECK FOR ADJ. CLAIM

Needed according to proof filed _____

Filed - needs amended _____

Add'l fee required _____

Not filed - _____

Not needed _____ ✓

Comments/Changes to Examiner's Recommendations:

License _____ 10-day _____ 30-day _____ ✓

Back of field report signed? _____

Reviewer [Signature] Date 8/24/91

Review time 6 min. nature of use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT SUPPLEMENT
C O N T E N T S

RECEIVED
JUN 26 1989

Department of Water Resources

☒ B/U Acknowledgment Letter Sent

This Examination Report Contains the Following Documents.

☒ Field Report ☒ Quad Sheet ☐ Gov. Lot Plat ☒ Rules Check list
☐ Aerial Photo ☐ Photo PD/PU

Number of Diagrams Attached _____ Number of Calculation Sheets Attached _____

☐ Correspondence (Date) _____

☐ Other (List) MICROFISCHE COPY, PERMIT 92-7112

Contacts:

Remarks:

Exam Completed By J King Date 9/30/88
Sr. Agent Review JK Date 10/3/88
Regional Manager Review PWB Date _____

PERMIT NUMBER

92-7113

AUG 22 1991

Examination For Beneficial Use Field Report Check List Rule 5

✓ 5,1,2. Permitted uses partially developed by the permit holder shall be described. Permitted uses which were not developed by the permit holder shall be noted. Uses determined to exist which are not authorized by the permit being examined shall also be noted.

✓ 5,1,3. A concise description of the diversion works and a general description of the distribution works shall be given. This description must trace the water from the point of diversion to and including the place of use and the return to a public water source, if any. The make, capacity, serial number and model number of all pumps, boosters or measuring devices associated with the point of diversion at the source of the water supply shall be described on the field report.

✓ 5,1,4. Any interconnection of the water use being examined with other water rights or with other conveyance systems shall be described on the field report. Any reservoir, diversion dam, shall be included. This description shall be in the form of a concise word picture of the storage of water, if stored, its release, redirection and conveyance to the place of use. A schematic diagram of the project works shall also be provided in the field report.

✓ 5,1,5. If water is returned to a public water source after use, a legal description of the point where the water is returned and source to which discharge is made shall be provided. Examples of uses which generally have an effluent discharge include fish propagation and power facilities. (MINING)

✓ 5,1,6. The method of compliance with each condition of approval of a permit shall be shown on the field report by the examiner.

✓ 5,1,7. If the water is used for irrigation, the boundaries of the various irrigated areas and the location of the project works providing water to each shall be platted on the proof maps and the full or partial acreage in each legal subdivision of 40 acres or government lot shall be shown.

✓ 5,1,8. Irrigated acreage shall be shown on the field report to the nearest whole acre in a legal subdivision except the acreage shall be shown to the nearest one-tenth acre for permits covering land of five acres or less.

✓ 5,1,9. Where a permit has been developed as separate distribution systems from more than one point of diversion, the separate areas irrigated from each point of diversion shall be shown on the proof maps as described hereinbefore and the legal subdivisions embracing the irrigated areas for each such respective point of diversion together with the total irrigated area shall be described.

✓ 5,1,10. The field examiner does not need to show total volume of water for municipal and fire protection uses on the field report unless the project works provide for storage of water.

✓ 5,1,11. The total number of holding/rearing ponds and the dimensions and volume of the ponds shall be shown on the field report for fish rearing or fish propagation use. The annual volume shall be calculated based on the changes of water per hour.

✓ 5,1,12. Information shall be submitted concerning the beneficial use that has been made of the water unless the purpose of use is for irrigation. For example, for stockwater use, the number and type of stock watered shall be provided. Similar indications of the extent of beneficial use shall be provided for all other non-irrigation uses.

✓ 5,1,13. Information on the period during each year that the water is used shall be described for each use.

✓ 5,1,14. For permits having more than one use, the diversion rate measured for each use shall be described.

✓ 5,1,15. The amount (rate and/or volume) of water shall be limited by the smaller of the permitted amount, the amount upon which the license examination fee is paid, the capacity of the diversion works or the amount beneficially used, including any statutory limitation of the duty of water.

✓ 5,1,16. Suggested amendments shall be noted on the field report when the place of use, point of diversion, period or nature of use is different from the approved permit or from previously approved amendments.

✓ 5,1,17. An aerial photo must accompany field reports involving ten (10) or more irrigated acres unless waived by the director. If existing photos are not available, the director will accept a USGS Quadrangle map at the largest scale available.

1 = See Attachment #1, 2 = See Attachment #2... etc ... N/A not applicable
A.1 = See Item A.1 on Field Report, C.3 = See Item C.3 on Field Report

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 92-7113

1. Owner: ~~MR~~ MRS. ROONEY L. DUTRO

Phone No. _____

Current Address: Box 163 SHANTY, ID. 83866

2. Accompanied by: SAME

EXAM. DATE: 9/30/88

Address: _____

Phone No. _____

Relationship to Permit Holder: SAME

3. Source: RENFRO CR. tributary to ST MARIES R.

B. OVERLAP REVIEW

1. Other water rights with same place of use: 92-7112

☐ Copies Attached

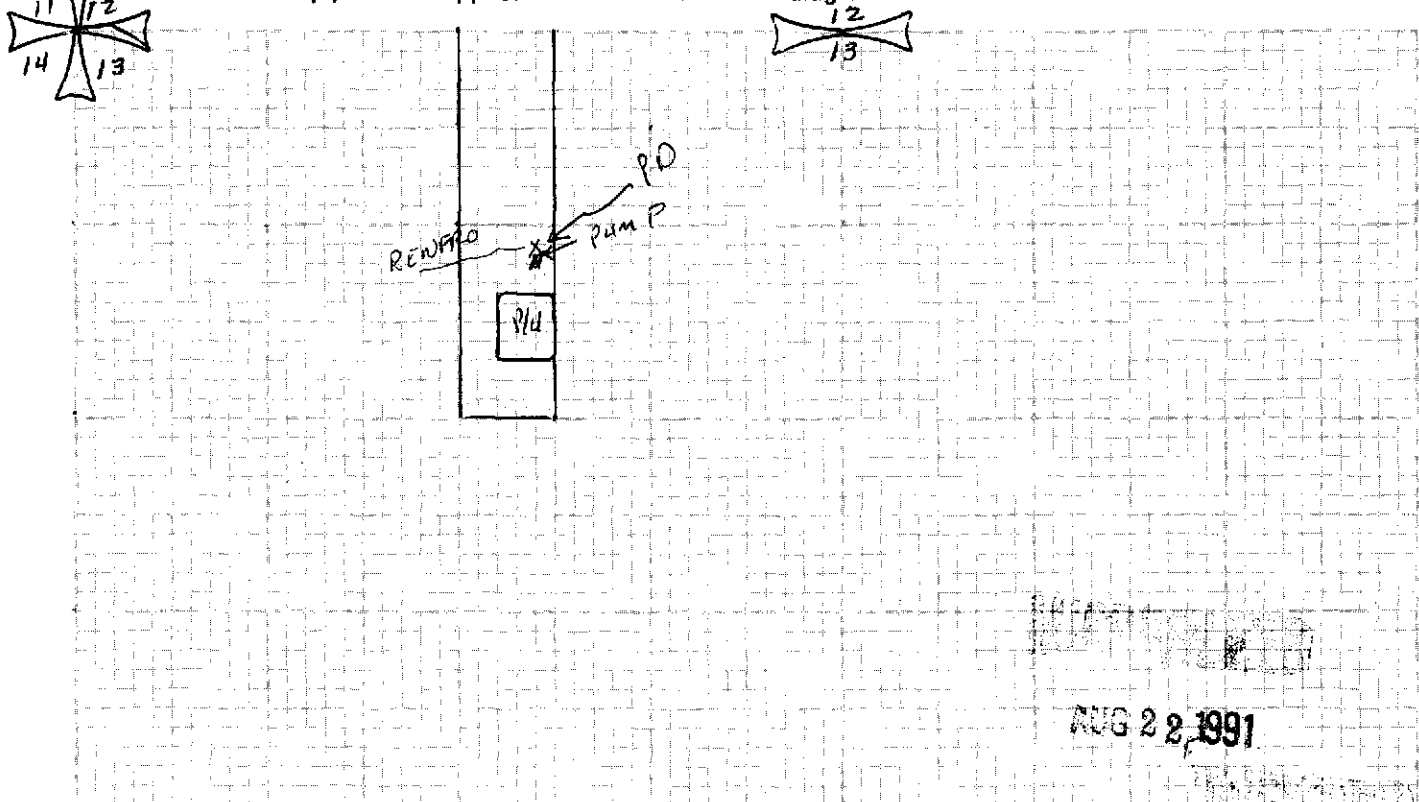
2. Other water rights with same point of diversion: 92-7112

☒ 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" = 1/8 mi

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

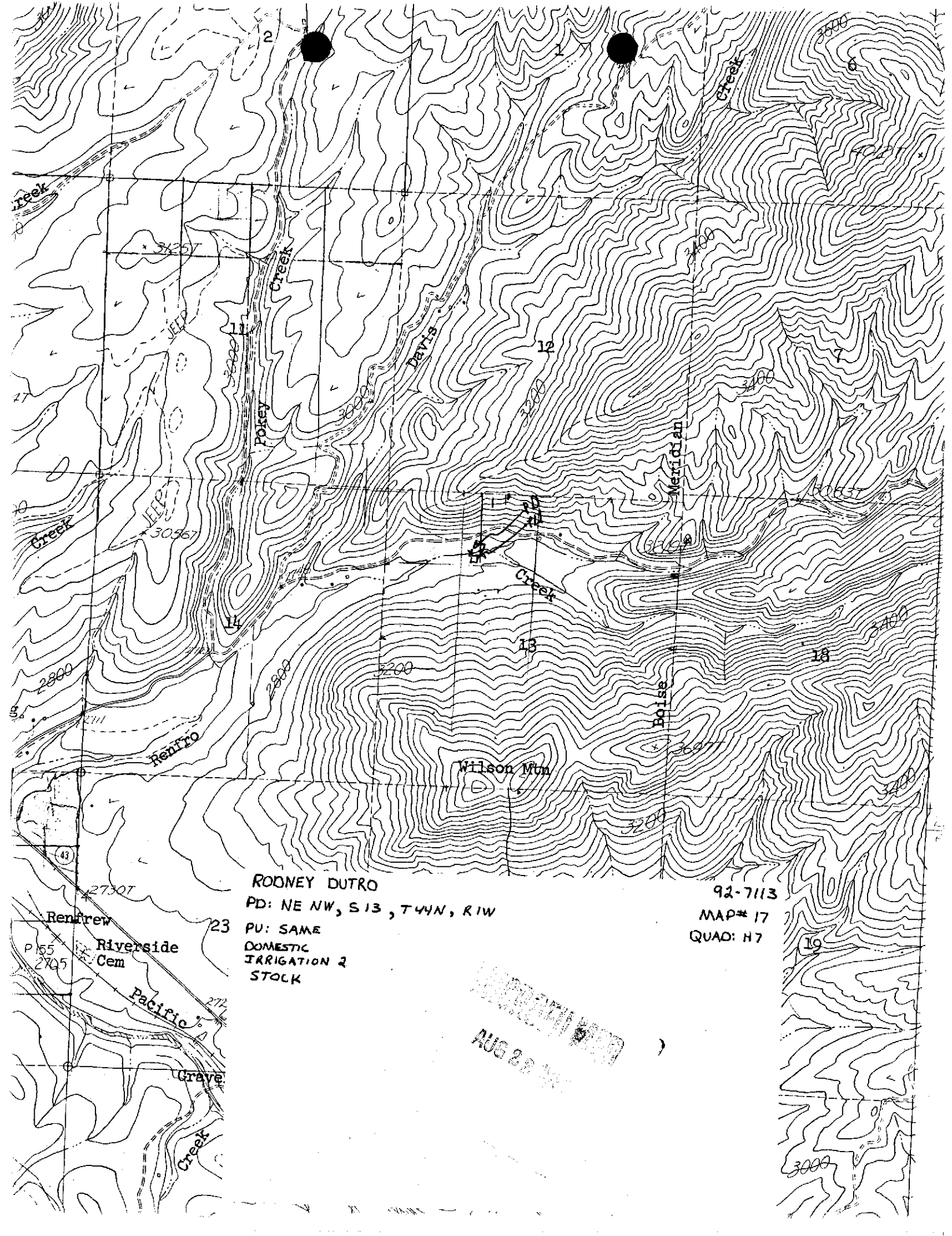
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

- ☐ Photo of Diversion and System Attached CAMERA MALFUNCTION
(required for all but single household domestic groundwater, and stockwater).

AUG 22 1991

JUN 23 1989

Idaho Department of Water Resources



RODNEY DUTRO
PD: NE NW, S13, T44N, R1W
PU: SAME
DOMESTIC
IRRIGATION 2
STOCK

92-7113
MAP# 17
QUAD: H7

RECEIVED
AUG 22 1992

Rentrew
Riverside
Cem
Pacific
Grave
Creek

Do not use this space

D. FLOW MEASUREMENTS

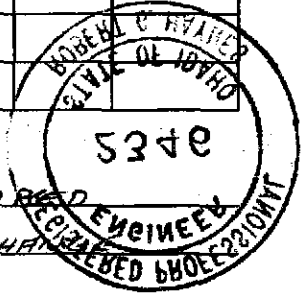
☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PRESSURE GAUGE	—	MARSHALLTOWN	—	—	100 PSI	—

2. Measurements:

70 PSI SMALL Pools EXCAVATED IN STREAM BED
ESTIMATE ^{24 HRS} 1.04 cfs REQUIRED TO EXCHANGE
WATER DURING 24 HOUR PERIOD



E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: ~~10 PSI~~ 432 @ 70 PSI = $\frac{5.93 \text{ GPM}}{445.8 \text{ GPM/cfs}} = 1.33 \text{ cfs}$

2. Alternate Method for Checking Purposes:

$$\frac{8.8(5)80.6}{2.3(75)+30} = .18 \text{ cfs} \text{ obviously NOT } 80\%$$

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 = _____ (8)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{1}{.01} \times \frac{3}{245} = \frac{3}{245}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 6.4$$

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

2. Volume Calculations for Other Uses:

NO OTHER USES DEVELOPED FROM
THIS SOURCE IS RECREATION @ 04 cfs 3 HRS/DAY/YR = $\frac{1752 \text{ CF/AN}}{43560 \text{ CF/AC}} = .04 \text{ AF/}$
.1 AF.

AUG 22 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Stockwater & Domestic Uses Not Developed Under This Permit

No Overlaps	0	0	0
Stock Water & Head	108 cfs	2	0
Domestic	1 Home	0.2 cfs	0
Recreation (Fish Pools)	0.04 cfs	0.04 cfs	0.04 cfs
Nature of Use Amendment			

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	From	To	Period of Use	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	3-15	11-15	12-31	0.01	3
RECREATION	1-1	12-31		0.04	1
Totals:					
				0.05	3.1

2. Recommended Amendments

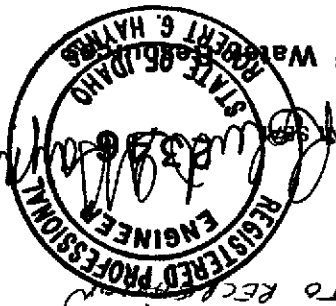
- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above

- ☒ None
- ☐ Other CHANGE NATURE OF USE - STOCK & DOMESTIC TO RECREATION

J. AUTHENTICATION

Field Examiner's Name Tom D. King
 Signature Tom D. King
 Certification Date 5/15/88
 Field Report Preparation Date 9/30/88

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



AUG 22 1991



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

April 18, 1988

R. KEITH HIGGINSON
Director

Mrs. Rodney Dutro
P. O. Box 163
Santa, Id. 83866

Re: 92-7113

Dear Mrs. Dutro:

We acknowledge receipt of your statement of completion of water development and 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 at the time he makes the examination so that you may show him 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

cc: IDWR - State Office

RECEIVED

AUG 22 1991

Celebrate
IDAHO
1890 • CENTENNIAL • 1990™

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 92-7113

Date: 3-10-1988

General Considerations:

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

Source of Water:

Y 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:

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

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A 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
FEB 26 1988

STATE OF IDAHO

Department of Water Resources
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 450.00
Date 3-1-88
Receipt # 48505
Receipt by [initials]
Reviewed by [initials]
Sent to region

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. 92-7113

Name(s) of Permit Holder: Rodney L. Dutton (Deceased) Mrs. Rodney L. Dutton

Post Office Address: P.O. Box 163 - Rexford Creek Rd. -
Santa, ID 83866 Telephone No. (208) 245-4752

Source of Water: Rexford Creek

Extent of Use:

Domestic 1 (number of households) Stockwater (number and type of stock)

Irrigation 2 (acres) Other/Remark Access to water when

obtaining a burning permit. Have established fish pools.

Total rate and/or volume for which proof is submitted 0.10 cfs 2 acre-feet

Show the date water was first diverted and beneficially used under this permit: Aug. 1986

Measuring Device: Required? Yes / No
Installed? Yes / No Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

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

Person to contact to accompany the Department representative during the field examination:
Mrs. Rodney L. Dutton (208) 245-4752
(Name) (Telephone Number)

P.O. Box 163 - Rexford Creek Rd. - Santa, ID 83866
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed. I relinquish any undeveloped portion of the permit to the state of Idaho.
Rodney L. Dutton (Deceased)
Mrs. Rodney L. Dutton
Feb. 23, 1988 Date Signature of Permit Holder (and title, if appropriate)

RECORDED
MAR 1 1988

RECEIVED

FEB 26 1988

Department of Water Resources
FILED

84 APR 18 AM 11:47

BEVERLY VALLARD
Beaver DEPUTY

Jerrold E. Park, Atty.
LAW OFFICES OF
PARK & ROGERS, CHARTERED
720 College Avenue
St. Maries, Idaho 83861
Telephone: 245-2521

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF

THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BENEWAH

MAGISTRATE DIVISION

In the Matter of the Estate of)

RODNEY L. DUTRO,)

Deceased.)
-----)

Case No. 8178

DECREE OF DISTRIBUTION

The above entitled matter came on regularly for hearing this 18th day of April, 1984, pursuant to the petition of ELLA RAE DUTRO for decree under Idaho Code Section 15-3-1205. It appeared to the Court that notice had been given in the manner and for the time required by law, and that all things were done and proceedings taken as required by law, and the Court further finds as follows:

I.

That the petitioner, ELLA RAE DUTRO, is the surviving wife of RODNEY L. DUTRO, deceased.

II.

That the said RODNEY L. DUTRO, husband of petitioner, died on the 14th day of December, 1983, in St. Maries, Benewah County, Idaho and at the time of his death was a resident of the County of Benewah, State of Idaho.

III.

That petitioner and the said RODNEY L. DUTRO were wife and husband at the time of his death; that they were married in Gulf Port, Mississippi, on June 11, 1950, and

were husband and wife continuously thereafter until the death of the said RODNEY L. DUTRO; and were residents of Benewah County, Idaho since April, 1982.

IV.

That during said marriage of petitioner and the said RODNEY L. DUTRO they acquired the following described real and personal property situate in Benewah County, State of Idaho, and particularly described as follows, to-wit:

Real Property:

The North Half of the Southeast Quarter of the Northwest Quarter (N1/2 SE1/4 NW1/4), and the West Half of the West Half of the Northeast Quarter of the Northwest Quarter (W1/2 W1/2 NE1/4 NW1/4), Section Thirteen (13), Township Forty-four (44) North, Range One (1) West, Boise Meridian, Benewah County, Idaho.

Personal Property:

Miscellaneous furniture and furnishings situate in the residence.

1974 Toyota Pickup Truck
1982 Volkswagon Van
1983 Chevrolet Pickup Truck.

V.

That all of the property above-described was the community property of petitioner and the said RODNEY L. DUTRO, now deceased; that said property, as of the date of the death of the said RODNEY L. DUTRO was of the value of the sum of \$84,000.00, approximately.

VI.

That the said RODNEY L. DUTRO left a last will and testament which was filed with the Court on March 16, 1984, under the terms of which all of the property above described was devised and bequeathed to petitioner, decedent's surviving spouse, ELLA RAE DUTRO.

VII.

That the next of kin of the decedent are as follows:

Ella Rae Dutro, petitioner and surviving spouse
P. O. Box 163
Santa, Idaho 83866

Lorraine A. Lowe, daughter,
2400 Oak Grove Lane
Jackson, Mississippi 39212

Connie J. Cook, daughter,
1927 Pinewood Drive
Idaho Falls, Idaho 83401

Alan H. Dutro, son,
3975 I 55 North, Vieux Carre, Apt. P-2
Jackson, Mississippi 39216

Lynn R. Dutro, son,
Route 11, Box 421B
Jonesboro, Tennessee 37659

Phyllis A. Lindner, daughter,
1801 Oak Grove Road, Apt. 306
Hattiesburg, Mississippi 39401

all of whom are adults and have received copies of the petition
and notice of hearing.

VIII.

That no inheritance taxes are due the State of Idaho,
the entire estate being community property.

NOW THEREFORE, by reason of the law in the premises
it is hereby

ORDERED, ADJUDGED AND DECREED that the above listed
estate, and all thereof, be and the same is hereby distri-
buted and set over unto ELLA RAE DUTRO, the surviving wife of
the decedent, to have and to hold the same unto herself, her
heirs and assigns forever, and as her sole and separate property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that any
community property hereafter discovered, not itemised herein, is
likewise distributed and set over unto the surviving spouse,
ELLA RAE DUTRO.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that
there are no inheritance taxes due the State of Idaho.

DATED this 18th day of April, 1984.

Richard L. McFadden
Magistrate

RECORDED & INDEXED

MAR 17 1988

Mrs. Rodney L. Dutton
P.O. Box 963
Santa, ID. 83866

CERTIFIED

P 668 919 716

MAIL

Department of Water Resources
State Office
1301 North Orchard Street
Boise, Idaho 83706-2237

Claim Check
No.

594949

☐ Hold

Date

1ST Notice

2ND Notice

Return

Seached from
#5 Form 3849-A,
Oct. 1995

138200
CERTIFIED MAIL
December 31, 1987

DUTRO, RODNEY L.
P.O. BOX 163
SANTA, ID 83866

PROOF DUE NOTICE

RE: Permit No. 92-7113

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, 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.

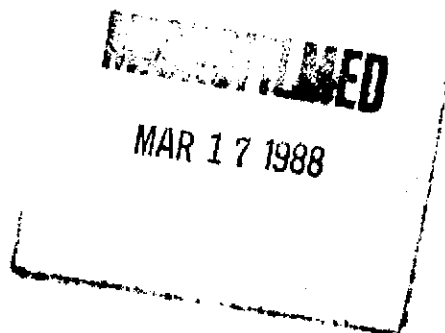
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

DUTRO, RODNEY L.
P.O. BOX 163
SANTA, ID 83866

MARCH 15, 1983

RE: PERMIT NO. 92-7113

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

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: R

APPLICATION NUMBER: 92-7/13

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.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

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: 2/22/83
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 2/14/83
☒ 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? _____
1/21/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: PSA Date: 2/24/83

STATE OFFICE REVIEW:

SLW/H7 26
☐ See attached sheet for more information.
By: R Date: 3/7/83

RECEIVED
MAR 02 1983

92-7113

DUTRO, RODNEY L.

P.O. BOX 163, SANTA, ID 83866

Source: RENFRO CREEK trib. to SAINT MARIES RIVER

Date Filed: 01/21/1983

Diversion Pt: NENW Sec 13 T 44N R 01W (2 acres)

Use: IRRIGATION	(0.06 CFS)
STOCKWATER	(0.02 CFS)
DOMESTIC	(0.02 CFS)

In: NENW Sec 13 T 44N R 01W

*added on
computer*

2/1/83

MICROFILMED