

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 18... day of ...August..., 19..82 and the last on the..25...day of....August..., 19..82

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...25...day of Aug..., 19..82.

Beverly Q. Linn

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

MICROFILMED

RECEIVED

SEP 10 1982

Department of Water Resources
Northern District Office

Three county residents ask OK to water rights

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

92-7101

Name: Charles E. McCurdy
Address: Rt. 4 Box 253, St. Maries, Idaho 83861
Date Filed: August 11, 1982
Amount: 0.02 cubic feet per second; 1.0 AC-FT
Source: Unnamed Stream tributary to Santa Creek
Means: Pond, pump and pipe
Point of Diversion: NWNE SWNE Sec 35 T 44N R 03W, Benewah County
Place of Use: NWNE SWNE Sec 35 T 44N R 03W for 2 acres
Use: Irrigation (0.02 cfs) from March 15 to Nov. 15; Irrigation Storage (1.0 AC-FT) from Jan. 1 to Dec. 31; Irrigation from Storage (1.0 AC-FT) from March 15 to Nov. 15.

92-7102

Name: Marriion Edwin Garvin
Address: Rt. 1 Box 285C, St. Maries, Idaho 83861
Date Filed: July 15, 1982
Amount: 0.12 cubic feet per second
Source: Spring tributary to St. Maries River
Means: Spring and pipe
Point of Diversion: SWSW Sec 04 T 45N R 02W, Benewah County
Place of Use: SWSW Sec 09 T 45N R 02W SESE Sec 04 T 45N R 02W NWNW Sec 09 T 45N R 02W SWSW Sec 04 T 45N R 02W for 3 acres
Use: Irrigation (0.03 cfs) from June 10 to Sept. 31; Stockwater (0.02 cfs) from Jan. 1 to Dec. 31; Domestic (0.12 cfs) from Jan. 1 to Dec. 31.

95-8213

Name: Harold Martzall
Address: Rt. 1 Box 55G, St. Maries, Idaho 83861
Date Filed: August 10, 1982
Amount: 0.20 cubic feet per second
Source: Groundwater
Means: Well, pump and pipe
Point of Diversion: NENW Sec 14 T 46N R 03W, Benewah County
Place of Use: NENW Sec 14 T 46N R 03W
Use: Domestic (0.20 cfs) from Jan. 1 to Dec. 31.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814 on or before SEPTEMBER 7, 1982.

A. KENNETH DUNN
Director

No. 6886 — Aug. 18-25.



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 92-7101 Priority August 11, 1982 Amount 0.02 cfs

THIS IS TO CERTIFY, that Charles E. McCurdy
of St. Maries, Idaho, has complied with the terms and conditions of Permit
No. 92-7101 issued pursuant to Application for Permit dated August 11, 1982,
and has submitted proof to the Department of Water Resources on September 27, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from an unnamed stream,
tributary to Santa Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for Irrigation from	January 1 to December 31	at n/a cfs and	0.1 acre feet
Irrigation from Storage	from March 15 to November 15	at n/a cfs and	0.1 acre feet
Irrigation	from March 15 to November 15	at 0.02 cfs and	1.5 acre feet

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35,
Twp 44N, Rge 3W in the County of Benewah

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
44N	3W	35	.5																0.5

Total number of acres irrigated 0.5

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4TH day of April, 19 84.

Norman C Young
Acting for the Director

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 CHARLES E. MC CURDY Phone 245-5015

Post office address RT 4 BOX 253, ST. MARIES, ID 83861

2. Source of water supply UNNAMED STREAM which is a tributary of SANTA CREEK

3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 44N

Range 3W B.M. BENEWAH County, additional points of diversion if any: _____

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 35 44N 3W

4. Water will be used for the following purposes:

Amount 1 AF for STORAGE FOR IRRIGATION purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1 AF for IRRIGATION FROM STORAGE purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for IRRIGATION purposes from 3/15 to 11/15 (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. 0.02 cubic feet per second and/or b. 1 AF acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 48' X 75' POND TO STORE WATER WITH PUMP & PIPELINE TO PLACE OF USE.

b. Height of storage dam 5 feet, active reservoir capacity 1 acre-feet; total reservoir capacity 1 acre-feet, materials used in storage dam: EARTH

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

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M. _____

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

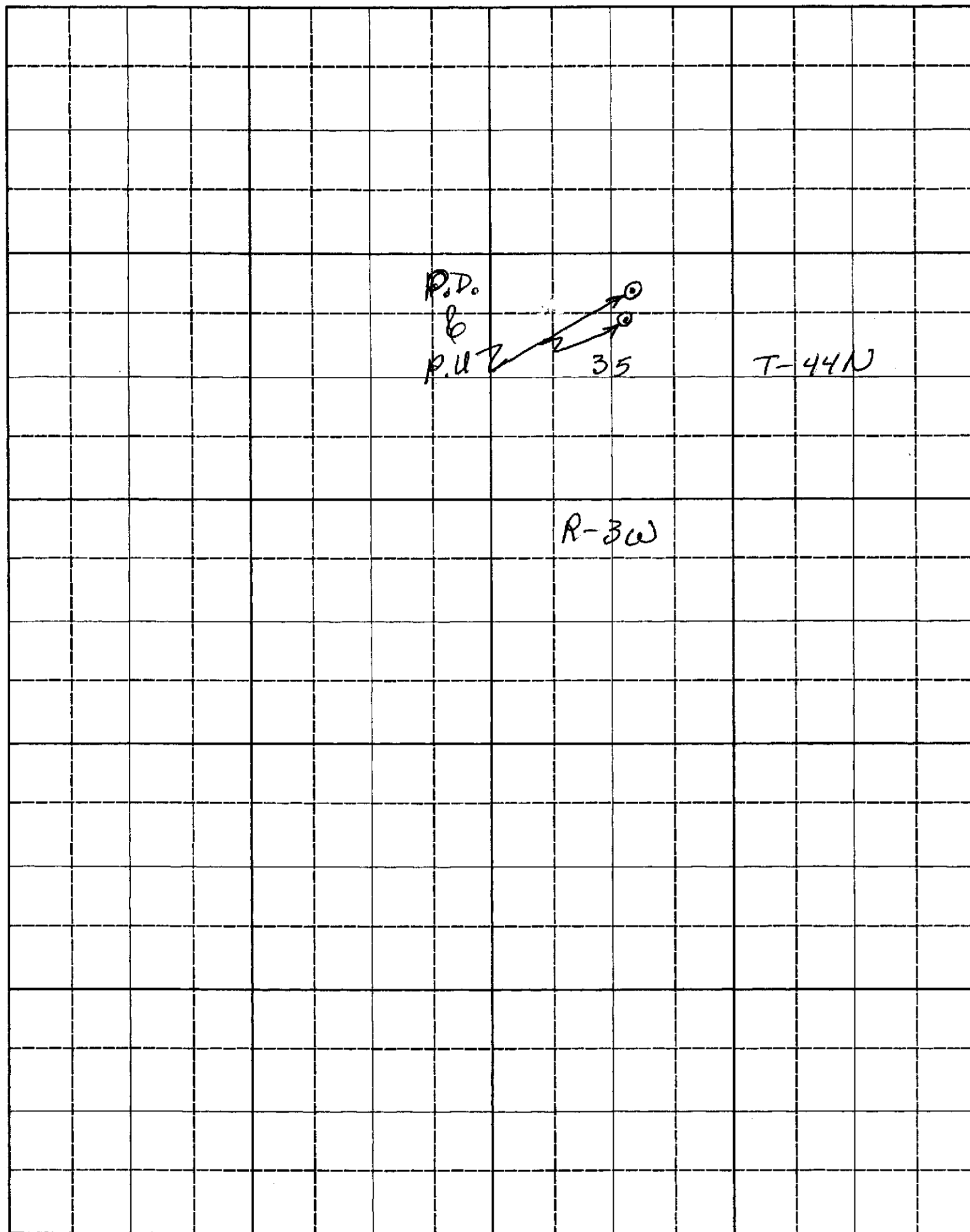
(3) List number of each kind of livestock to be watered _____

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: _____

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.

Charles E. M. Gundy
(Applicant)

Received by KK Date 8/11/82 Time 11:30 A
Preliminary check by JK Fee \$ 30.00
Received by KK Date 8/11/82 # 24303
Publication prepared by Mr. [Signature] Date 8/12/82
Published in Idaho State Journal
Publication dates 8/18-25/82
Publication approved Mr. [Signature] Date 9/13/82
Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by [Signature] 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. 92-7101, 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

for October 1, 19 83.

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: _____

Witness my hand this 29th day of September, 19 82.

Chief, Operations Bureau

[Signature]

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 18... day of ...August..., 19..82 and the last on the..25...day of...August..., 19..82

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JoJane Hammes

Subscribed and sworn to before me this ...25... day of Aug..., 19..82.

Beverly A. Linn

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

Three county residents ask OK to water rights

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Date Filed: August 11, 1982
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Means: Pond, pump and pipe
Point of Diversion: NWNE SWNE Sec 35 T 44N R 03W, Benewah County
Place of Use: NWNE SWNE Sec 35 T 44N R 03W for 2 acres
Use: Irrigation (0.02 cfs) from March 15 to Nov. 15; Irrigation Storage (1.0 AC-FT) from Jan. 1 to Dec. 31; Irrigation from Storage (1.0 AC-FT) from March 15 to Nov. 15.

92-7102

Name: Marion Edwin Garvin
Address: Rt. 1 Box 285C, St. Maries, Idaho 83861
Date Filed: July 15, 1982
Amount: 6.12 cubic feet per second
Source: Spring tributary to St. Maries River
Means: Spring and pipe
Point of Diversion: SWSW Sec 04 T 45N R 02W, Benewah County
Place of Use: SWSW Sec 09 T 45N R 02W SESE Sec 04 T 45N R 02W NWNW Sec 09 T 45N R 02W SWSW Sec 04 T 45N R 02W for 3 acres
Use: Irrigation (0.63 cfs) from June 10 to Sept. 31; Stockwater (0.02 cfs) from Jan. 1 to Dec. 31; Domestic (0.12 cfs) from Jan. 1 to Dec. 31.

95-8213

Name: Harold Martzall
Address: Rt. 1 Box 55G, St. Maries, Idaho 83861
Date Filed: August 10, 1982
Amount: 0.20 cubic feet per second
Source: Groundwater
Means: Well, pump and pipe
Point of Diversion: NENW Sec 14 T 46N R 03W, Benewah County
Place of Use: NENW Sec 14 T 46N R 03W
Use: Domestic (0.20 cfs) from Jan. 1 to Dec. 31.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814 on or before SEPTEMBER 7, 1982.

A. KENNETH DUNN
Director

No. 6888 — Aug. 18-25.

RECEIVED

SEP 10 1982

Department of Water Resources
Northern District Office

April 5, 1984

RE: Permit No. 92-7101

Charles E. McCurdy:
Rt. 4, Box 253
St. Maries, ID 83861

Dear Mr. McCurdy:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED
FILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

March 16, 1984

16

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

RE: Permit No. 92-7101

Charles E. McCurdy
Rt. 4, Box 253
St. Maries, ID 83861

Dear Mr. McCurdy:

A representative of this Department has made an examination of the works covered by your Permit No. 92-7101, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.02 cfs Source: unnamed stream trib to Santa Creek

The maximum quantity diverted shall not exceed 1.6 acre feet per year.

Point(s) of diversion: NW~~1~~NE~~1~~ Sec. 35, Twp 88N, Rge 3W

Beneficial Use: Storage for irr. and irrigation within NW~~1~~NE~~1~~, Sec. 35 Twp 44N, Rge 3W for 0.5 acres

Priority date established: August 11, 1982

Conditions (if any):

If you do not concur with these findings, please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

RECEIVED

MAP (Attach Aerial Photo)

		✓		35	17/11/14			
				old X pd 10/1				
				R3W				

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NAME sec 35 T44N R3W

Place(s) of Use

[illegible]

Recommended Amendments:

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

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

- Other ☐
None ☒

Examiner's Signature

Checked by

Approved by _____

John Board
Belle Haven
Long Island City

Date _____

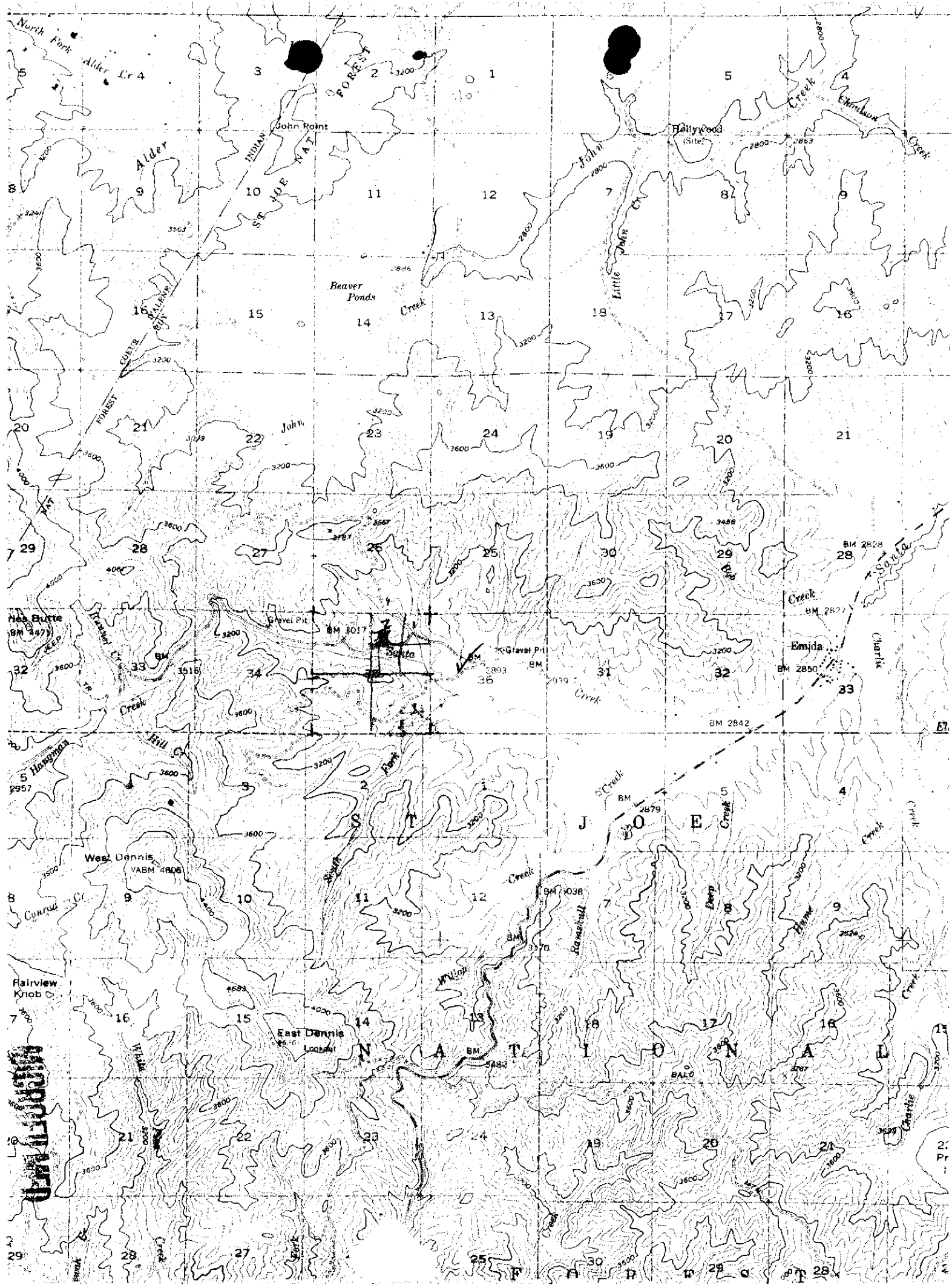
3/9/84

Date _____

5/5/01

Date _____

22/3/72



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
R. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

January 21, 1983

Mr. Charles McCurdy
Rt. 4 box 253
St. Maries, Id. 83861

RE: 92-7101

Dear Mr. McCurdy:

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.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDMR - State Office

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DEPARTMENT OF WATER RESOURCES *Mobile*

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 927101

Name(s) of Permit Holder: CHARLES E. MC CURDY

Post Office Address: RT 4 BOX 253

ST. MARIES, ID 83861 Tel. No. 245-5015

Source of Water: UNNAMED STREAM

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 1/2 (acres)
☐ Other

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

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

8/11/82
Date

Charles E. McCurdy
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

SEP 27 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MC CURDY, CHARLES E.
RT. 4 BOX 253
ST. MARIES, ID 83861

OCTOBER 13, 1982

RE: PERMIT NO. 92-7101

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.

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: JK

APPLICATION NUMBER: 92-7101

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: 9/7/82 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/10/82 ✓
☒ 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? _____
Date of priority recommended: 8/11/82
✓ Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW:

By: [Signature] Date: 9/16/82

- ☐ See attached sheet for more information.

By: [Signature] Date: 9/27/82

RECEIVED
SEP 21 1982

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

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

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

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

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

MC CURDY, CHARLES E.

RT. 4 BOX 253, ST. MARIES, ID 83861

Source: UNNAMED STREAM tributary to SANTA CREEK

Date Filed: 08/11/1982

Amount: 0.02 CFS 1.0 AC-FT

Diversion Point: NWNE SWNE Sec 35 T 44N R 03W, BENEWAH Co.

Use: IRRIGATION	(0.02 CFS)	from 03/15 to 11/15
IRRIGATION STORAGE	(1.0 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(1.0 AC-FT)	from 03/15 to 11/15

Place of Use: NWNE SWNE Sec 35 T 44N R 03W FOR 2 ACRES

Diversion Means: POND, PUMP AND PIPE.

RECORDED
INDEXED
JUN 10 1983
IDAHO DEPT. OF AGRICULTURE
BOISE