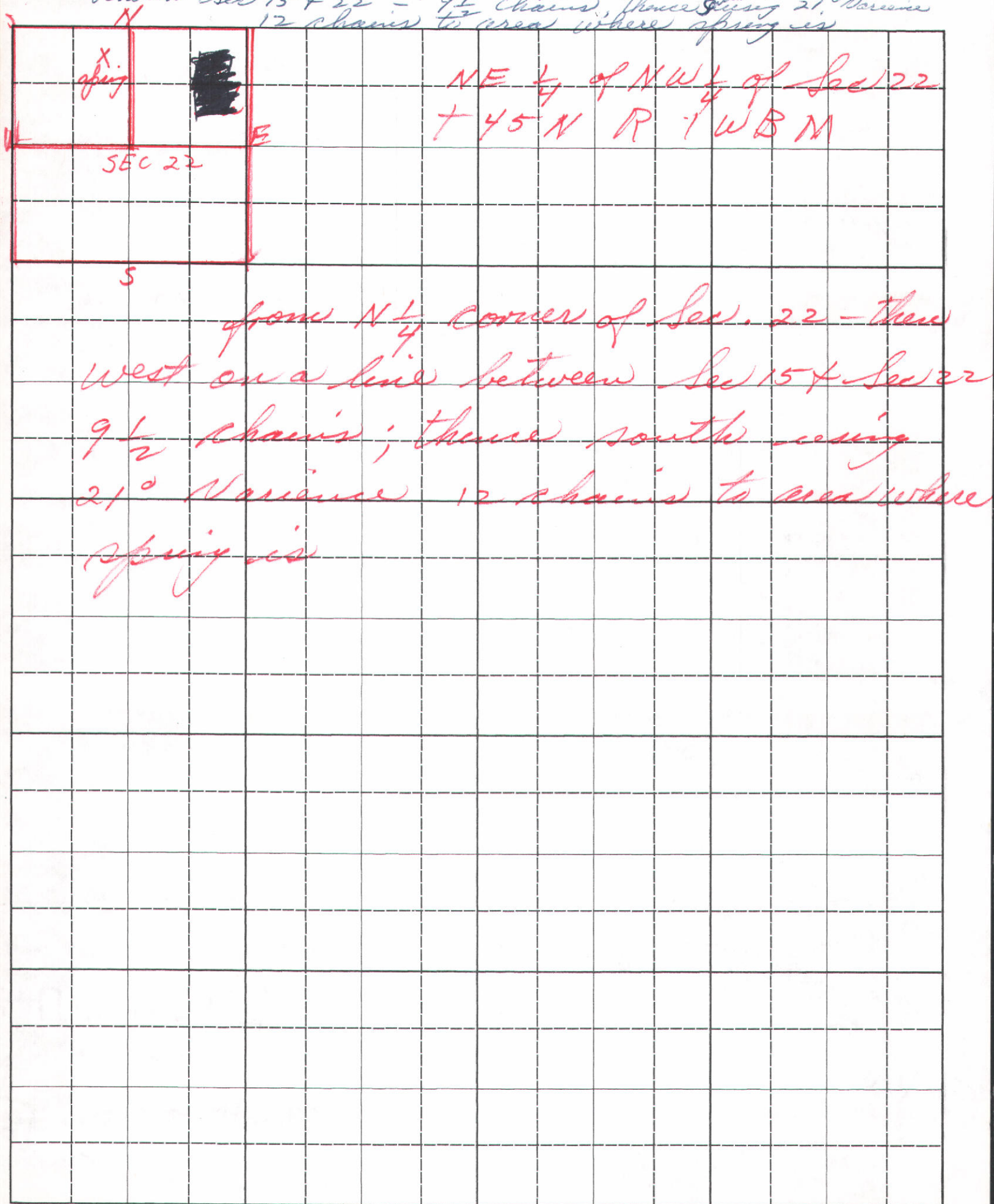


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *from N $\frac{1}{4}$ corner of sec. 22 - then west on a line between Sec 15 & 22 - $9\frac{1}{2}$ chains, thence ^{South} using 21° variance 12 chains to area where spring is*



Scale: 2 inches equal 1 mile.

$2'' = 1 \text{ mi}$

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.

Merryn M. Swallow
(Applicant)

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

(✓) 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) _____

Contacts: _____

Remarks: _____



Exam Completed By Z. L. Smith Date 8/2/89

Sr. Agent Review _____ Date _____

Regional Manager Review PSH Date 6/8/90

PERMIT NUMBER

92-7048

SEP 24 1990

92-7048



MICROFILMED

R 1W

SEP 24 1990

T45 N

SEL. 22

92-7048

EXAM DATE -

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07048

Priority: March 13, 1979

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

0.6 AF

This is to certify, that MERVYN W. SWALLEY
49 E. LATIMER
CAMPBELL, CA 95008

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 31, 1979; and
has submitted Proof of Beneficial Use on April 11, 1984. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to **ROGERS CREEK**

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>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

SENENW , Sec. 22, Township 45N, Range 01W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

45N 01W 22

NENW

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. Domestic use is for 1 home.

MICROFILMED

SEP 2 * 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 92-07048

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 29th
day of August, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

SEP 24 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 92-7048 IN THE
NAME OF MERVYN W. SWALLEY

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1984; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on April 11, 1984;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 92-7048 be REINSTATED and the priority advanced to March 13, 1979.

Dated this 17th day of April, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED
MAY 1 1984

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 Mervyn W. Savelley Phone 408-378-6182

Post office address 49 E. Latimer, Campbell, Ca 95008

2. Source of water supply unimproved spring which is a tributary of Rogers creek

Rogers creek is a tributary to Shoshone creek

3. Location of point of diversion is N.E. 1/4 of N.W. 1/4 of Section 22 Township 45N

Range 1W B.M. Benewah County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

★ Amount .03 for irrigation purposes from June to Aug 31 (both dates inclusive)
(cfs or acre-feet per annum)

★ Amount .02 for stock purposes from June to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .20 for fire fighting purposes from MAY to Nov (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 for domestic purposes from June to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.20 - .30 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Developed spring & pipe
concrete casing & pump

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 22 Township 45N
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 or more calves

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

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

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marks

_____ 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
 Who owns the land to be irrigated or place of use

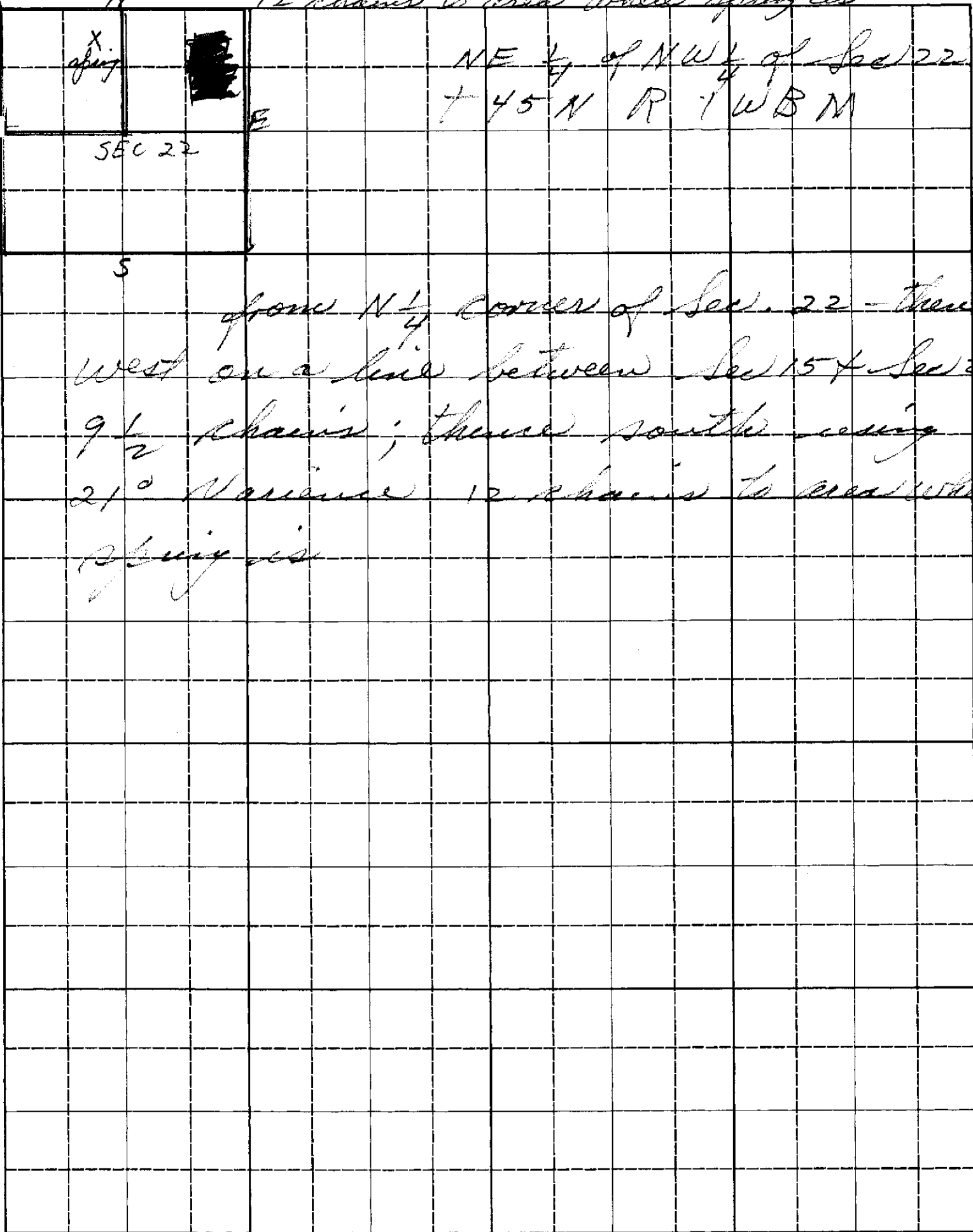
Who owns the property at the point of diversion
Merwyn W. Jolly

Total number of acres to be irrigated 24

[illegible][illegible]

For water is for irrigation, indicate acreage in each subdivision in the tabulation below: *11000 gals*

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *from N $\frac{1}{4}$ corner of sec. 22 - then west on a line between Sec 15 & 22 - $9\frac{1}{2}$ chains, thence ^{spring} 21° variance 12 chains to area where spring is*



Scale: 2 inches equal 1 mile.

2" = 1 mi

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.

Merryn M. Swallow
(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 two issues, the first publication being on the 15th day of February, 1979. and the last on the 22nd day of February, 1979.

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 23rd day of February, 1979.

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

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:

92-7048

Name: Mervyn W. Swalley
Address: 49 E. Latimer, Campbell, CA 95008

Date Filed: January 31, 1979

Amount: 0.20 cubic feet per second

Source: Unnamed spring tributary to Rogers creek

Means: Collection box, pump and pipeline

Point of Diversion: NENW Sec 22 T 45N R 01W, Benewah Co.

Place of Use: NENW Sec 22 T 45N R 01W

Use: Fire protection (0.20 CFS) from May 1 to Nov. 1 & Domestic (0.05 CFS) from Jan. 1 to Dec. 31

91-4010

Name: W. Willard or Victoria S. Holmstrom

Address: Route 2, Box 122, St. Maries, Id. 83861

Priority date: November 21, 1958

Amount: 0.02 cubic feet per second

Source: Unnamed spring

Means: Reservoir & Gravity-Flow pipeline

Point of Diversion: Lot 01 Sec 02 T 46N R 03W, Benewah Co.

Place of Use: Lot 07 Sec 02 T 46N R 03W

Use: Domestic (0.02 CFS) from Jan. 1 to Dec. 31; & Stockwater (0.02 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, Id., 83814 on or before March 5, 1979.

C. STEPHEN ALLRED
Director

No. 5632 — Feb. 15-Feb. 22.

August 30, 1990

MERVYN W. SWALLEY
49 E. LATIMER
CAMPBELL, CA 95008

RE: PERMIT NO. 92-07048

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
SEP 24 1990

August 8, 1990

MERVYN W. SWALLEY
49 E. LATIMER
CAMPBELL, CA 95008

RE: PERMIT NO. 92-07048

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MicroFILMED

SEP 24 1990

SENIOR AGENT REVIEW

RECEIVED
JUN 27 1990

Check List
for
Beneficial Use Field Report

Department of Water Resources

Permit 98-7008

✓ **A. GENERAL INFORMATION**

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

✓ **B. OVERLAP REVIEW**

- ✓ 1. & 2. (Rule 5,1,4)

JK ✓ **C. SYSTEM DESCRIPTION**

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

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

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

✓ **F. OPTIONAL**

✓ **G. VOLUME CALCULATIONS**

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

✓ **H. REMARKS AND OVERLAP ANALYSES**

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

✓ **I. RECOMMENDATIONS**

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

✓ **J. AUTHENTICATION**

✓ Name, Signature, Certification Date, Exam Date.

✓ **WELL INSPECTION REPORT**

✓ Check with permit and well log for discrepancies

Signature JK Date 8/22/88

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

(✓) 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) _____

Contacts: _____

Remarks: _____

Exam Completed By *[Signature]* Date 8/2/89
Sr. Agent Review _____ Date _____
Regional Manager Review *[Signature]* Date 6/8/90

PERMIT NUMBER

92.7048

SEP 24 1990



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

July 7, 1987

*this is domestic water
of currently not in use*

Mr. Mervin W. Swalley
49 E. Latimer
Campbell, Ca. 95008

Re: 92-7048

Dear Permit Holder:

We are planning to conduct water right field examinations in the vicinity of your above-referenced Water Permit this summer.

A field examination is needed to verify your water use so that a water license can be issued. In order to conduct your exam as efficiently as possible, please call this office to schedule a day and time which will be convenient for you. Please note that your system should be operating under normal conditions during the examination.

If there is a problem with scheduling or conducting the examination at this time, please call us at 765-4639 and other arrangements can be made.

Sincerely,

Jennifer Argraves

JENNIFER ARGRAVES
Water Rights Examiner

JA/pms

MICROFILMED

SEP 24 1990

RECEIVED
JUL 23 1987
Department of Water Resources
Northern District Office

August 21, 1986

Mr. M. W. Swalley
49 E. Latimer
Campbell, Ca. 95008

Re: 92-7048

Dear Mr. Swalley:

To avoid cancellation of Permit No. 92-7048, you must complete the enclosed Examination Fee Information form, sign it and return it to this office prior to April 30, 1987.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Form

MICROFILMED

SEP 24 1990

49 E. Latimer
Campbell, CA 95008
June 18, 1986

RECEIVED
JUN 24 1986

RE: Permit 92-7048

Department of Water Resources

Gentlemen:

The water on the above permit is used for domestic purposes only, when I am in Idaho.

M.W. Swalley



RECEIVED
AUG 14 1986
Department of Water Resources
Northern District Office

MICROFILMED
SEP 24 1990

4-30-1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 27 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 92-7048

1. Owner: Mervyn W. Swally Phone No. 408-378-6184

Current Address: 49 E. Lotinier Campbell Ca. 95008

2. Accompanied by: NO ONE EXAM. DATE: 7/13/89

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Unnamed Spring tributary to Rogers Cr.

B. OVERLAP REVIEW

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

☐ Copies Attached

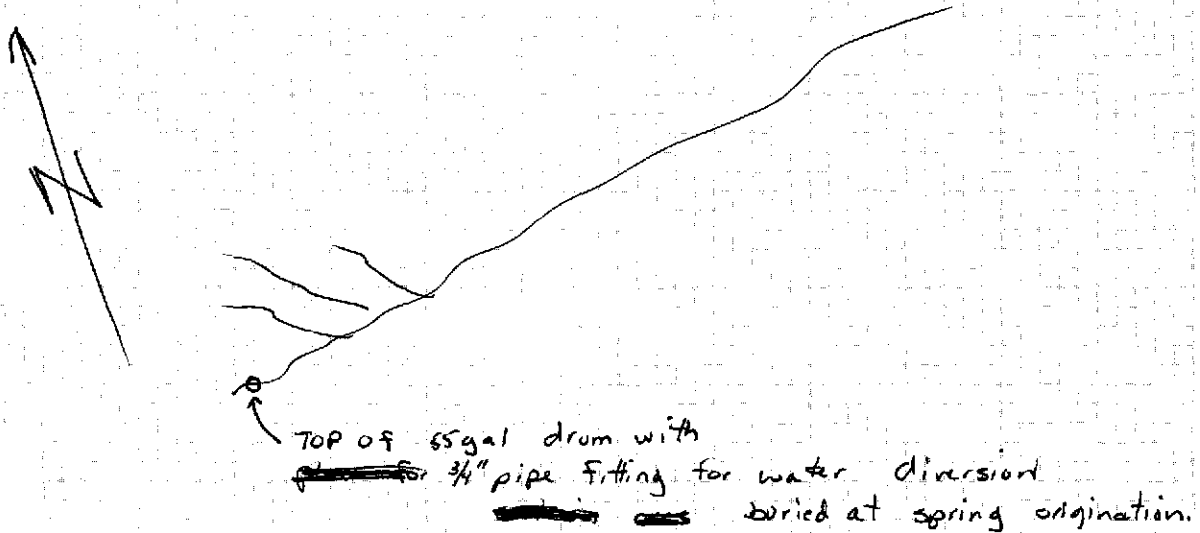
2. Other water rights with same point of diversion: None

☐ 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



MICROFILMED

Scale: 1" = NTS

SEP 24 1990

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

☒ Photo of Diversion and System Attached

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

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

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

Top of SS gal drum with pipe fitting for diversion
buried at spring origination.

Buried at spring origination.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Monte		Leavitt - 5		

5. Point(s) of Diversion:

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

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

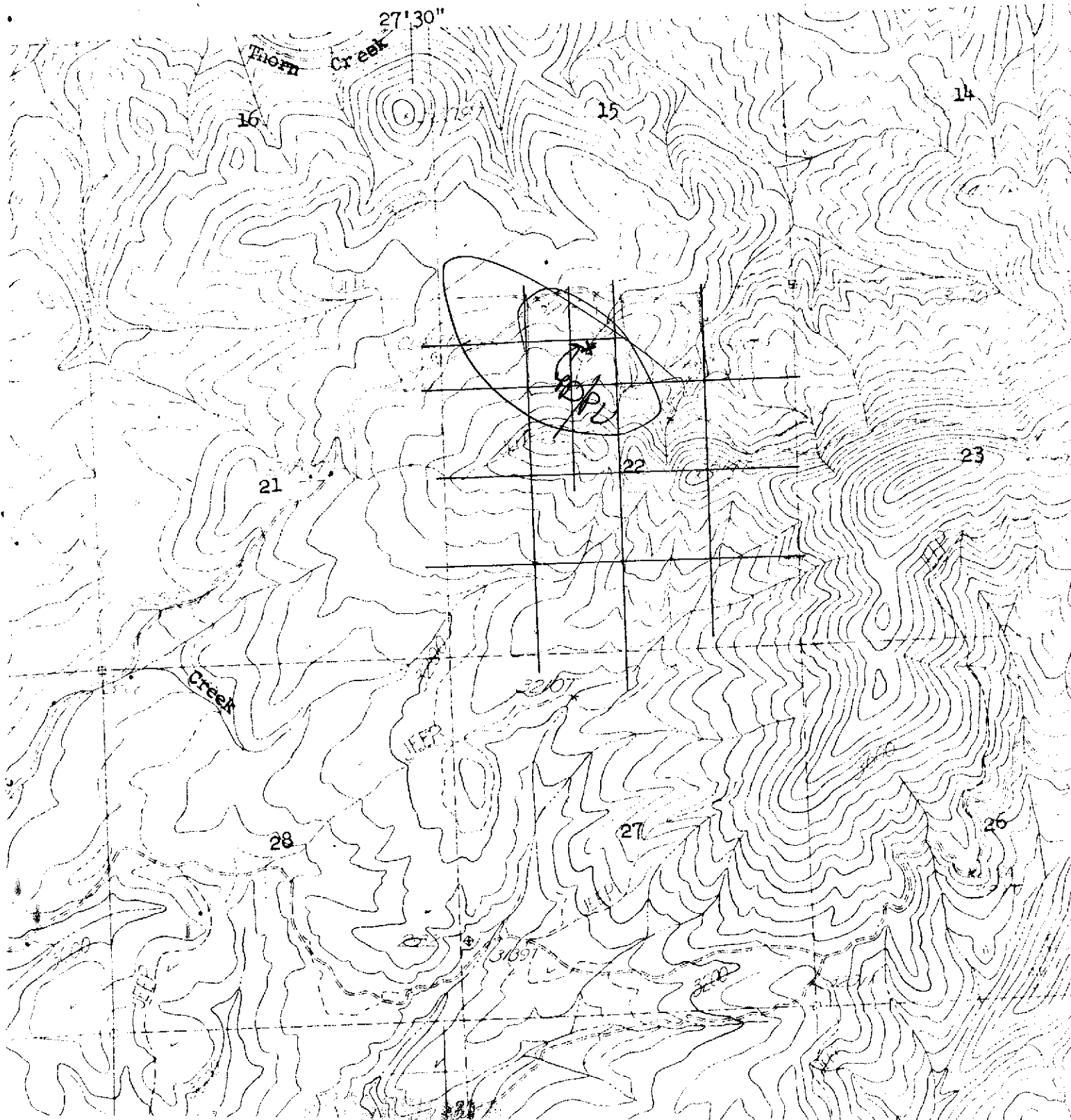
[illegible]

Do not use this space

SEP 24 1990

RECEIVED

92-7048



T45 N

R 1W

SEL. 22

92-7048

EXAM DATE -

Do not use this space

D. FLOW MEASUREMENTS

NONE

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Domestic 0.02 cfs

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

Domestic 0.6 cfs

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SEP 24 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Domestic only reference letter from Mr. Swalley received June 27, 1986.

Mr. Swalley Received June 29, 1986.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Period of Use
From _____ **To** _____

Rate of Diversion
Q (cts)

Annual Volume
V (afa)

Domestic

7

(E/C)

5000

0.6atf

Totals:

0.00 10.0

0.6afa

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

☐ Other☒ None

J. AUTHENTICATION

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

Louis Sukorah

68	71	2
----	----	---

7/14/89

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

~~CONSULTANT~~



SECRET

SEP 24 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720

92-7048
SWALLEY, MERVYN W.
49 E. LATIMER
CAMPBELL, CA 95008

138123

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

SEP 24 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

APRIL 24, 1984

M. W. SWALLEY
49 E. LATIMER AVE. #1
CAMPBELL CA 95008

RE: Permit No. 92-7048

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

Enclosure

MICROFILMED
SEP 24 1990

92-7048

January 11, 1979

Mr. Hervyn W. Swalley
49 E. Latimer Ave., Apt #1
Campbell, Ca. 95008

Dear Mr. Swalley:

We are returning your Application for Permit for clarification and filing fee.

You have indicated .03 cfs for irrigation purposes. However, you have not completed Item 8b indicating the amount of the acreage you plan to irrigate.

You have also applied for .20 cfs for stockwater. However, it seems to be an excessive amount for 5 calves. I would suggest that you use the amount .02 cfs. Please complete Items 3a(4) and 3b.

The map you have provided is somewhat confusing. Please indicate the section corners on the map and the scale in the lower left-hand corner of the page.

Please return the enclosed application with your check in the amount of \$20 for filing fee. If you have any further questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Application

RECEIVED
JAN 15 1979

21202144
620-6664
244, 111299403

Appl. also shown
Jettie Deal Road.
St. Louis, Mo.



State of Idaho
Dept of Water Resources

4055 Government Way

Boise & Meridian, Id
83814

MICROFILMED

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 92-7048

DATE: 4-16-1984

Date proof received

101

Apr. 11, 1984

Proof due

- 60

Mar. 1

Number of day proof late

41

Priority date

+ 31

Jan. 31, 1979

New priority date

72

Mar. 13, 1979

Remarks:

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DEPARTMENT OF WATER RESOURCES

92-7048

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. _____

Name(s) of Permit Holder: M. W. SWALLEY

Post Office Address: 49 E. LATIMER AVE #1
CAMPBELL, CA 95008 Tel. No. _____

Source of Water: _____

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

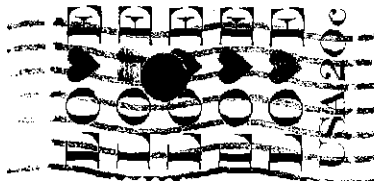
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

4/9/84
Date

Merryn A. Swalley
Signature of Permit Holder

M.W. S. 711
49 E. LATIMER AVE
Campbell, CA 95008



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APR 11 1984



IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

SWALLEY, MERVYN W.
49 E. LATIMER
CAMPBELL, CA 95008

LAPSE NOTICE

MARCH 05, 1984

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 92-7048 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED DECEMBER 31, 1983.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING
I hereby certify that on 3-21-1984
a true and original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
[Signature]

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138339

SWALLEY, MERVYN W.
49 E. LATIMER
CAMPRELL, CA 95008

PROOF DUE NOTICE

DECEMBER 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 92-7048 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

March 14, 1979

Re: Permit No. 92-7048

Mervyn W. Swalley
49 E. Latimer
Campbell, California 95008

Dear Mr. Swalley:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

MICROFILMED

92-7048

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. Spr Source
3. ✓ Point of Diversion
4. .2 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map ✓
11. 20 Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u>1</u> Bureau of Land Management	<u>1</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO
 ID Power Co. Letter - G.W. & Tribs. NO
 Snake River Condition NO
 Payette River Letter NO
 Priority Date 1/31/79
 Water Quality #16 NO
 Water Quality #10 NO
 intrastate NO interstate NO

Meas. Dev. or Sc. Meas. NO
 Totalizing meter NO
 Supplemental NO
 Right-of-Way Cond. NO
 Watermaster Cond. NO
 Wtr. Dist No. NO
 Meas. Dev. Cond. for apps within a Water Dist. NO

Juni
 Reviewer
3/13/79
 Date
 FILED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Swallow 92-7048

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) AK 2-1-79

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) SR 2-1-79

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) pms 3/5/79

Affidavit of Publication received(date) 3/5/79

(12) pms 3/5/79

Final date for protests March 7, 1979

Protests received: yes _____ no ☒

(13) pms 3/5/79

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

1-31-79 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 3-5-79

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MAR 9 1979

Department of Water Resources

RECEIVED

92-7048-

SWALLEY, MERVYN W.

49 E. LATIMER, CAMPBELL, CA 95008

Source: UNNAMED SPRING tributary to ROGERS CREEK

Date Filed: 01/31/1979

Amount: 0.20 CFS

Diversion Point: NENW Sec 22 T 45N R 01W, BENEWAH Co.

Use: FIRE PROTECTION (0.20 CFS) from 05/01 to 11/01
DOMESTIC (0.05 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 22 T 45N R 01W

Diversion Means: COLLECTION BOX, PUMP AND PIPELINE

Legal

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:

92-7048

Name: Mervyn W. Swalley
Address: 49 E. Latimer, Campbell,
CA 95008

Date Filed: January 31, 1979

Amount: 0.20 cubic feet per second

Source: Unnamed spring tributary
to Rogers creek

Means: Collection box, pump and
pipeline

Point of Diversion: NENW Sec 22 T
45N R 01W, Benewah Co.

Place of Use: NENW Sec 22 T 45N R
01W

Use: Fire protection (0.20 CFS)
from May 1 to Nov. 1 & Domestic
(0.05 CFS) from Jan. 1 to Dec. 31.

RECEIVED
JAN 24 1979
Department of Water Resources
Northern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

February 5, 1979

Mr. Mervyn Swalley
49 E. Latimer
Campbell, California 95008

RE: 92-7048

Dear Mr. Swalley:

Enclosed is Receipt No. 13418 in the amount of \$20.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Styra

pms

Enclosure

MICROFILMED