

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.

Lavern Daugherty
(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 6th day of May, 1976. and the last on the 13th day of May, 1976.

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 May, 1976.

Ora Lyon

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

SHOULD BE
MAY

RECEIVED

MAY 14 1976

Department of Water Resources
Northern District Office

NOTICE OF APPLICATION
FOR WATER PERMIT

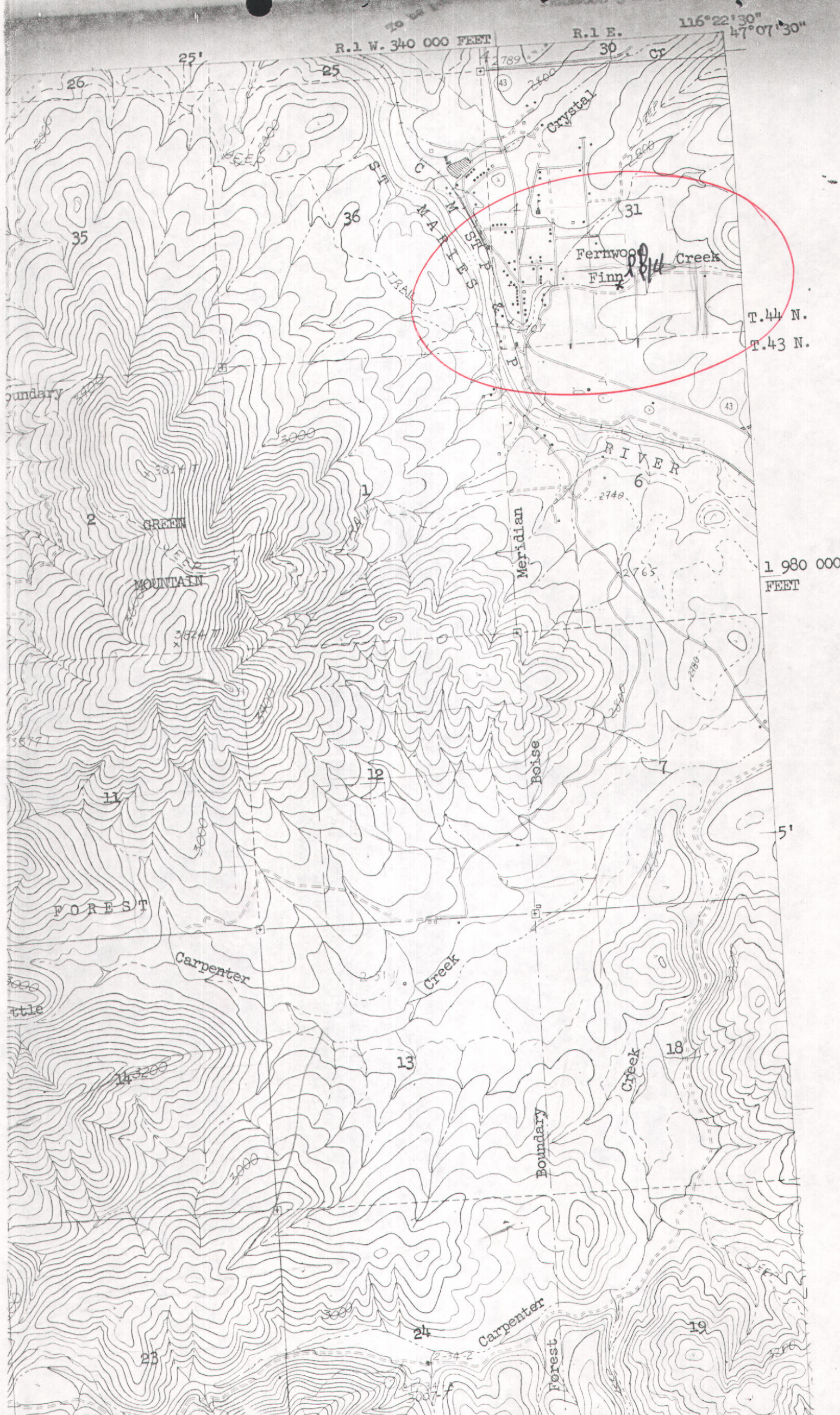
Notice is hereby given that Lavern Daugherty, Box 21, Fernwood, ID has on April 30, 1976 submitted Application No. 92-7032 for a permit to appropriate .2 cubic feet per second of water from Fenn Creek tributary to the St. Maries River by means of portable pump within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T44N R1E Benewah County to be used for Stockwater - .02 cfs from Jan 1 to Dec 31 and for irrigation - .2 cfs from Mar 15 to Nov 15 for 15 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND THE SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T44N R1E.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 24 1976.

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record on May 6 and 13. No. 4405 — May 6 - May 13.

MICROFILMED



R.1 W. 340 000 FEET

R.1 E.

116°22'30"
47°07'30"

T.44 N.
T.43 N.

1 980 000
FEET

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 92-7032 (late proof)
Priority May 2, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that Lavern Daugherty
of Fernwood, Idaho, has complied with the terms and conditions of Permit
No. 92-7032 issued pursuant to Application for Permit dated April 30, 1976,
and has submitted proof to the Department of Water Resources on June 3, 1981,
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 0.04 cfs of water from Fenn Creek,
tributary to St. Maries River, 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
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.02</u> cfs and	<u>3.5</u> acre feet
Stockwater	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>0.2</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.04 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
3.7 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Twp.
44N, Rge. 1E 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	1E	31												1					1

Total number of acres irrigated 1

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

Director

IN THE MATTER OF PERMIT NO. 92-7032

IN THE NAME OF LAVERN DAUGHERTY

Chief, Operations Bureau

Identification No. _____

Application No. 92-7032

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Lavern Daugherty Phone: 245-3402
post office address Box 21 Fernwood, ID 83830
2. Source of water supply Fenn Creek which is a tributary of St. Maries River
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 44N
Range 1E B.M. Benewah County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for Stockwater purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for Irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1/2 hp pump (portable) with pipeline
to place of use. _____

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:

Sw $\frac{1}{4}$ SE $\frac{1}{4}$

(1) Give the place of use of water: SE $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 31 Township 44N
Range 1E B.M.

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

(3) List number of each kind of livestock to be watered #8 horses and donkeys and 8 cows

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

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
44N	1E	31															8	
																		15
TOTALS																		

Total number of acres to be irrigated 15

c. Describe any other water rights used for the same purposes as described above. None

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

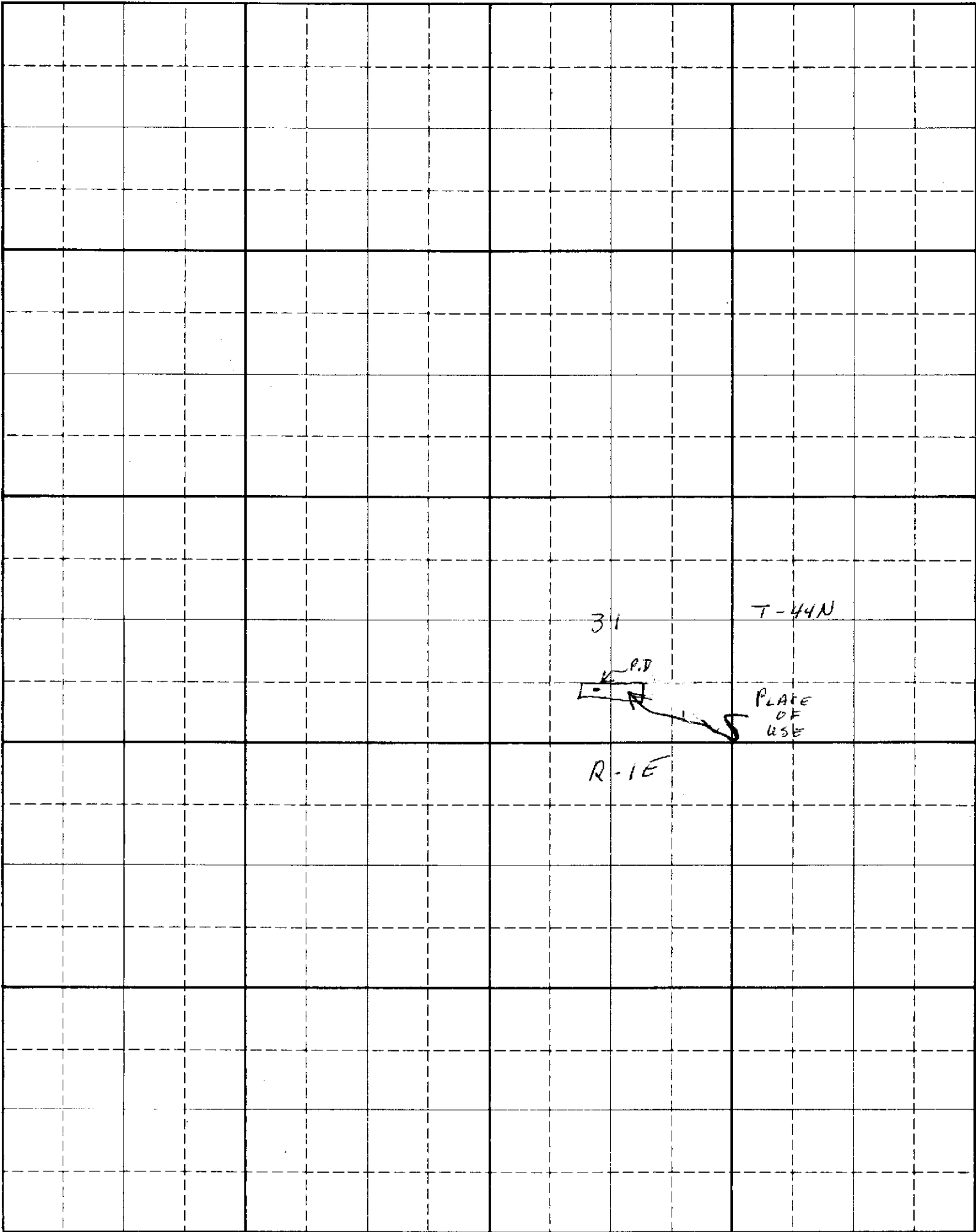
b. Who owns the land to be irrigated or place of use

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

applicant to make this filing

10. Remarks

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.

Lavern Daugherty
(Applicant)

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. 92-7032, 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 June 1, 19 81

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 10 day of June 1976

Director

Proposed Priority 4-30-76

Received by KK Date 4/30/76 Time 1:00 P

Preliminary check by CMH Fee \$ 1000

Received by CMH Date 4/30/76 # 4212

Publication prepared by RGH Date 4-30-76

Published in St. Maries Gazette Record

Publication dates May 6 & May 13, 1976

Publication approved CP Date 5-18-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by _____ Date _____

Recommended for approval denial by CMH DKT

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 6th day of May, 1976 and the last on the 13th day of May, 1976.

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 May, 1976.

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

RECEIVED

MAY 14 1976

Department of Water Resources
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lavern Daugherty, Box 21, Fernwood, ID has on April 30, 1976 submitted Application No. 92-7032 for a permit to appropriate .2 cubic feet per second of water from Fern Creek tributary to the St. Maries River by means of portable pump within the SE 1/4 SW 1/4 Section 31 T44N R1E Benewah County to be used for Stockwater - .02 cfs from Jan 1 to Dec 31 and for irrigation .2 cfs from Mar 15 to Nov 15 for 15 acres within the SW 1/4 SE 1/4 AND THE SE 1/4 SW 1/4 Section 31 T44N R1E.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 24, 1976.

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record on May 6 and 13.
No. 4405 - May 6 - May 13.

SHOULD BE
MAY

September 22, 1982

RE: Permit No. 92-7032

Lavern Daugherty
Box 21
Fernwood, ID 83830

Dear Mr. Daugherty:

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





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
(208) 334-4440

August 17, 1982

RE: Permit No. 92-7032

Lavern Daugherty
Box 21
Fernwood, ID 83830

Dear Mr. Daugherty:

A representative of this Department has made an examination of the works covered by your Permit No. 92-7032, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: Fenn Creek

The maximum quantity diverted shall not exceed 3.7 acre feet
per year.

Point(s) of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 44N, Rge. 1E, Benewah County

Beneficial use: Stockwater and irrigation of 1 acre within the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 31, Twp. 44N, Rge. 1E

Priority date established: May 2, 1976 (late proof)

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:kw

CES JUL 22 1982
 Department of Water Resources

Permit No.

DATE	INITIALS	REMARKS
------	----------	---------

- ## EXAMINATION

Measurement calculations: One acre of irrigation = 0.02 cfs @ 3.5 A
Stock = 0.02 cfs @ 0.20 A

System Description 2' diam in stream with $\frac{1}{2}$ " pipe gravity flow pipe to stock tanks and $\frac{1}{2}$ hp motor & pump for irrigation

**Code with map on reverse side. Disregard code if only one.*

RECOMMENDED AMOUNTS

USE

Irrigation requirement = AFA/Acre

Q (cfs)

V (afa)

FROM

TO

0.02

3.50

3-15

11-15

0.07

0.70

1-1

12-3

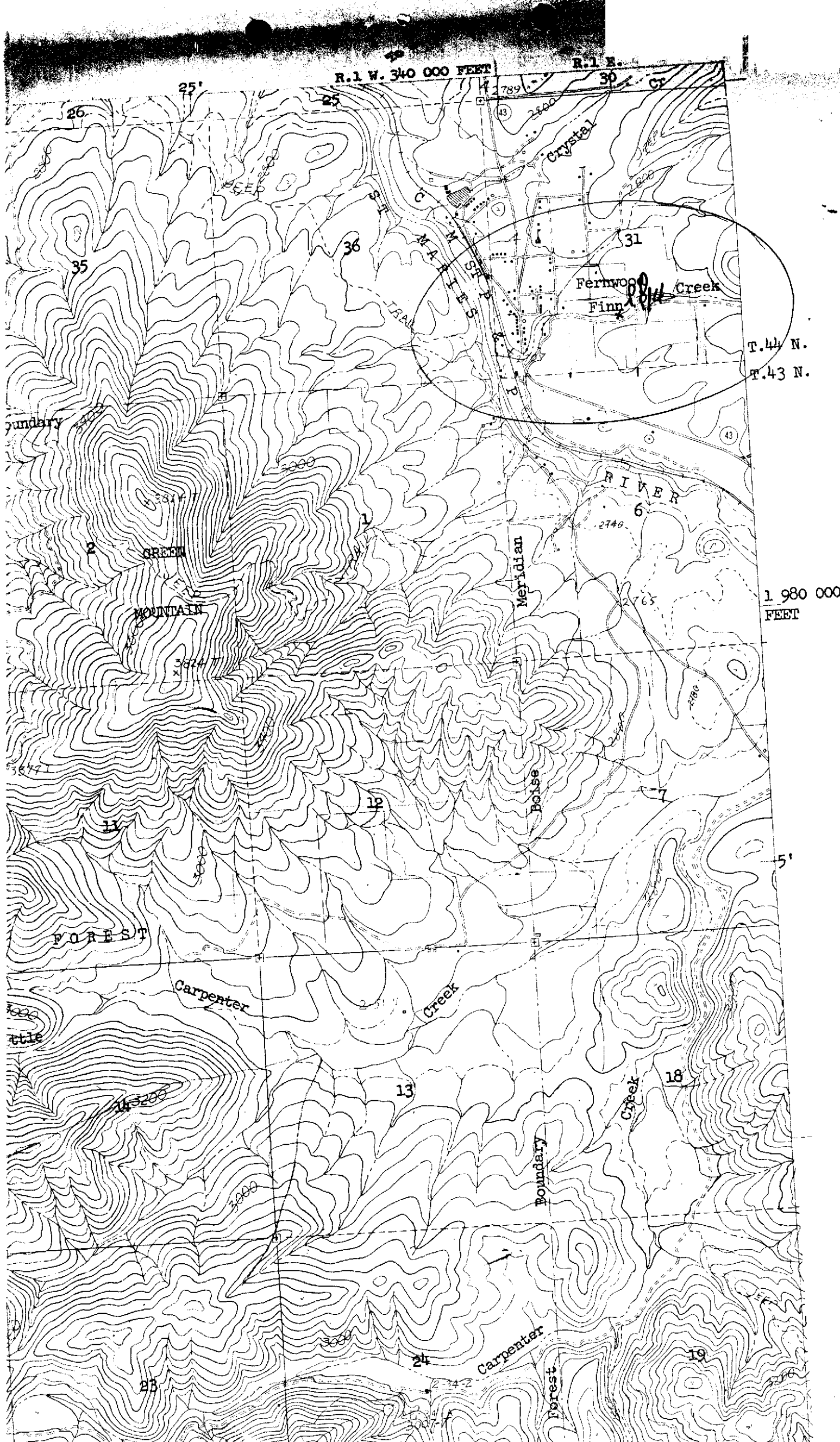
Total

0.04

3.70

Remarks Lawn & garden sprinklers

No overlapping Rights Found - 3-23-82-JK



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

June 24, 1981

Mr. Lavern Daugherty
Box 21
Fernwood, Id. 83830

RE: 92-7032

Dear Mr. Daugherty:

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

RECORDED
INDEXED
JUN 25 1981
IDMR

DEPARTMENT OF WATER RESOURCES

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. 92-7032.

Name(s) of Permit Holder: Larson Paupherty

Post Office Address: Box 21 Fernwood, Idaho 83830

Tel. No. 245-3402

Source of Water: Fern Creek

Extent of Use: ☐ Domestic 2 goats (number of households)

☒ Stockwater 3 cows 3 horses (number and type of stock)

☒ Irrigation 4 (acres)

☒ Other 2 Ponds 1 gravity fed line 1 electric pump

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.

Maye 26-81
Date

Larson Paupherty
Signature of Permit Holder

Lavem Property

Box 21

Fernwood, Idaho 83830



RECEIVED



JUN 3 1981

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

Department of Water Resources
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

DAUGHERTY, LAVERN
P.O. BOX 21
FERNWOOD, ID 83830

138101

MARCH 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 92-7032 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

3/79

IDENT. NO. 92-7032

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 92-7032
Old No. New No.

Record

1. Original Owner: Lavern Daugherty

Present Owner: _____

2. Address: P.O. Box 213. City: Fernwood State: ID Zip: 838304. A. Source of Water: Fern CreekB. Tributary of: St. Maries River5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-30-1976D. County: 09E. Total Diversion Rate: .2

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SESW</u>	<u>31</u>	<u>44N</u>	<u>1E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 3-15 to 11-15 for A purposes. Amount .2
(cfs or AC-FT/yr)from 1-1 to 12-31 for 5 purposes. Amount .02

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

dump + pipeline

14. Diversion Means (brief narrative):

H. Conditions of Approval:

G. Field Exam Made (P,R,F or blank):

F. Proof Made (P or blank):

E. Old Number:

D. Hearing Date:

C. Protested Date:

B. Date Permit Approved or Denied: *6-10-1976*

13. A. Proof Due Date: *6-1-1981*

12. Other Rights for Same Use:

11. Other Uses (Non-irrigation explanatory information): *S/16 head*

10. Remarks: A.
B.
C.
D.
E.

B. Decree Date:

9. A. Decree Name:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<i>44N</i>	<i>13</i>	<i>31</i>																	<i>15</i>

8. Use Code: *A*

87-5-79

June 11, 1976

Re: Permit No. 92-7032

Lavern Daugherty
Box 21
Fernwood, ID 83830

Dear Mr. Daugherty:

Enclosed is a copy of your approved Application for Permit No. **92-7032** . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 92-7032 Savern Daugherty

☒ 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) RM 43076

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

(4) RM 43076

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: No field review

(11) CP 5/18

Affidavit of Publication received(date) May 14, 1976

(12) CP 5/6

Final date for protests May 24, 1976
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

RECEIVED

☒ Approve

MAY 27 1976 Deny

_____ Proposed Priority 4-30-76 Department of Water Resources

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Ayres Date 5-26-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 30, 1976

Re: Application 92-7032 Lavern Daugherty

St. Maries Gazette Record
Box 367
St. Maries, ID 83861

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

Bill: 5-18-76.4

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lavern Daugherty, Box 21, Fernwood, ID

has on April 30, 1976 submitted Application No. 92-7032
for a permit to appropriate .2 cubic feet per second ~~none feet per second~~
of water from Fenn Creek tributary to the St. Maries River
by means of portable pump
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T44N R1E Benewah County

to be used ~~from~~ for Stockwater - .02 cfs from Jan 1 to Dec 31 and for
~~for~~ irrigation - .2 cfs from Mar 15 to Nov 15 for 15 acres

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ AND THE SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T44N R 1E

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 24, 1976.

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record
on May 6 and 13

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Loren Daugherty Phone: 245-3402
post office address Box 21 Fremont, Idaho 83830
2. Source of water supply Furn Creek which is a tributary of St. Maries River
3. a. Location of point of diversion is E $\frac{1}{4}$ of SE-SW $\frac{1}{4}$ of Section 31 Township 44
Range 1 East B.M. Benewah County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 cfs for Stock water purpose from Jan 1st to Jan Dec 31st (both dates inclusive)
2.50 cfs or acre-feet per annum
Amount 10 ac-ft for irrigation purpose from Mar 15 to Aug 15 (both dates inclusive)
10 ac-ft for Gardens purpose from June 1st to August 31st (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. 20 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1/2 Horse Power Electric Pump
this is a portable pump set at creek by Home and
Garden site
- b. Height of storage dam none feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is _____ years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: E $\frac{1}{4}$ of SE-SW $\frac{1}{4}$ of Section 31 Township 44
Range 1 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 4 horses 4 donkeys Eight cows or
Calfs
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: none

[illegible]

9. a. Who owns the property at the point of diversion Farm Doughty
b. Who owns the land to be irrigated or place of use Farm Doughty
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

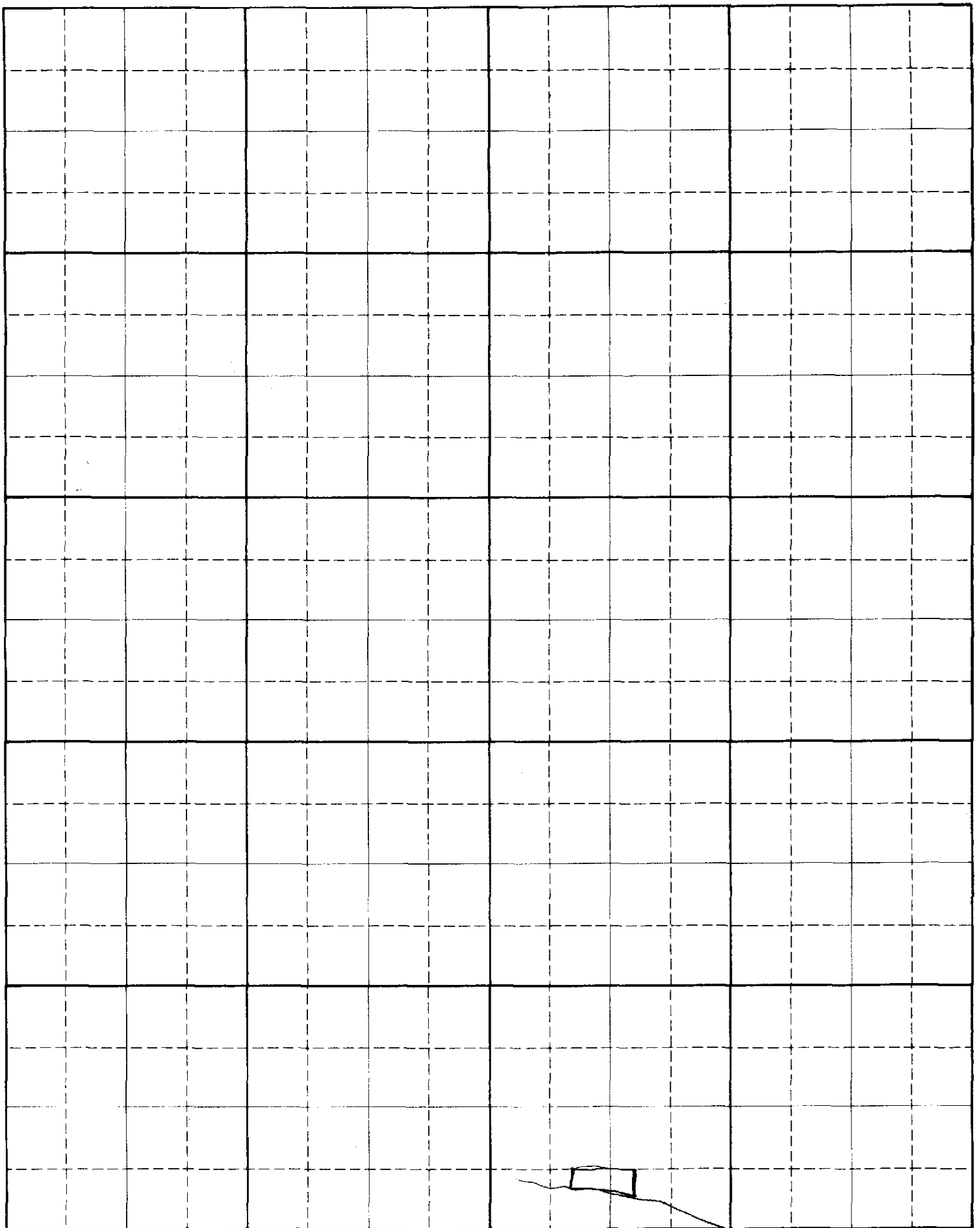
Off. possible I would like permit
water right on the creek flows thru the center of our
property this is about 15 acres total.

Full description of Property

Farm Creek flows thru the center of this property from east to west

Beginning at the Northwest corner of the $E\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ of the said Section 31; thence east along the north boundary line of said $E\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ Section 31, a distance of 667.62 feet to a point; thence continuing east along the north boundary line of the $SW\frac{1}{4}$ $SE\frac{1}{4}$ of the said Section 31 to a point which is a distance of 60.00 feet west of the Northeast corner of the said $SW\frac{1}{4}$ $SE\frac{1}{4}$ Section 31 and lying on the north boundary line of said $SW\frac{1}{4}$ $SE\frac{1}{4}$ Section 31; thence due South to the center line of the Farm Creek Road; thence in a westerly direction along the center line of the Farm Creek Road to the point of intersection of said center line and the west boundary of intersection of said center line and the west boundary line of the $E\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ of the said Section 31; thence north along said west boundary line of the $E\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ Section 31 to the point of Beginning.

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.

Lavern Daugherty
(Applicant)

Received by TIK Date 4-24-76 Time 11:50 AM

Preliminary check by _____ Fee \$ _____

Received by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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. _____, and said application is hereby _____
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 _____, 19____.
c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

Director