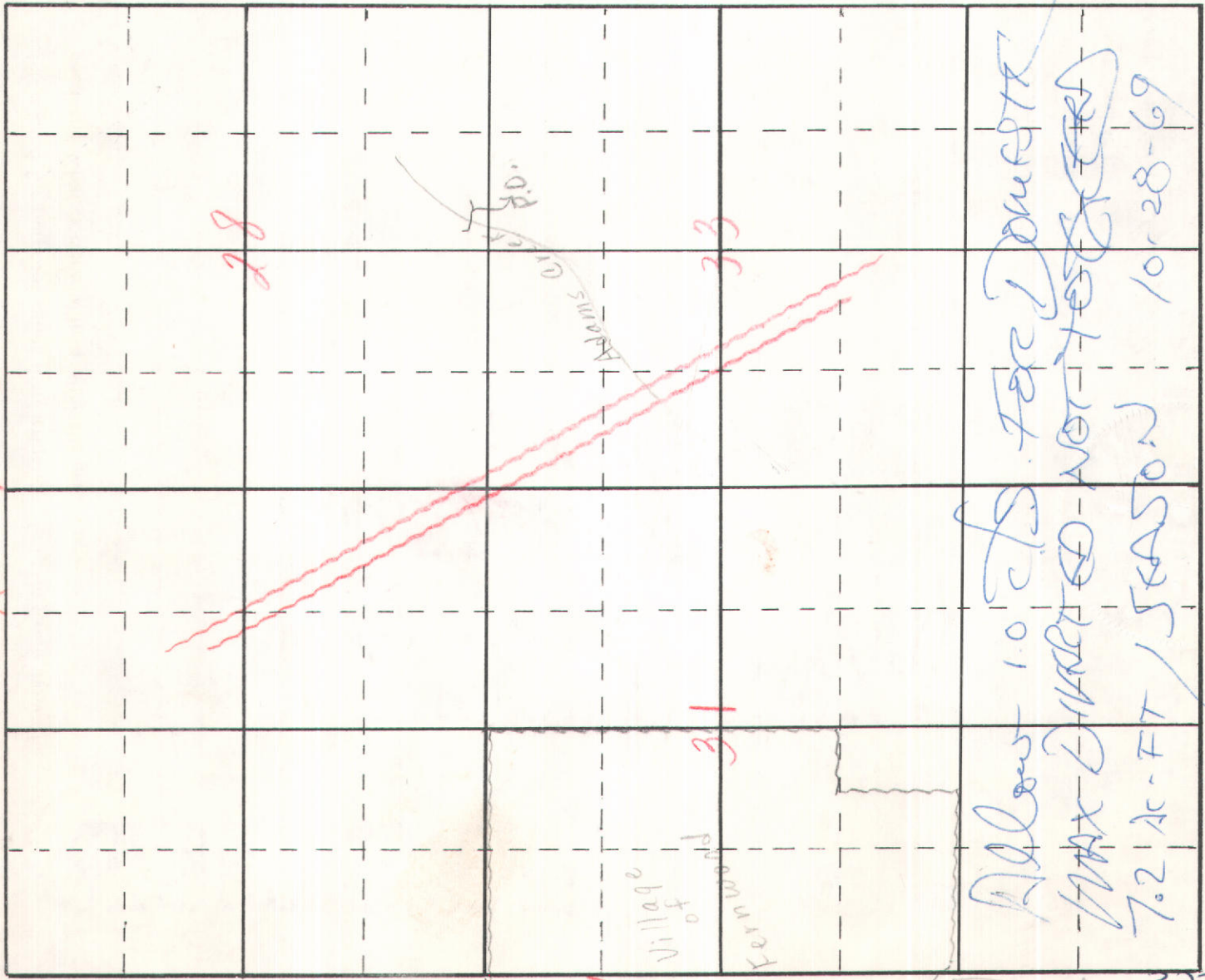


R 1 E



Permit No. 32751 BENEFICIAL USE ONLY 94 Den Walters

Name of Applicant Fernwood Water District, N. C. McCall, Fernwood, Idaho

Source of Water Adams Creek

a tributary of St. Maries River

Location of P.D. SE 1/4, Sec. 28, T. 44 N, R. 1 E, B.M., Benewah County.

Water is used for Domestic

Quantity of water claimed: Permit 1.0 c.f.s. Depositions 1.0 c.f.s. Adv. 0.5

Type of measuring device installed or method of measurement and general description of diversion works reinforced concrete diversion structure with filter, chlorinator and storage tank

Room 412 Fed Bldg

Land to be irrigated or place of use: more than here

TWP.	RGE.	SEC.	Description
44 N	1 E	31	SW 1/4 Fernwood & Vicinity

Date filed: February 25, 1966 Total acreage

Proof due: February 25, 1969

Proof made: April 30, 1968

Priority: February 25, 1966

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

July 30, 1968

Re: Permit No. 32751

Fernwood Water District
Fernwood, Idaho 83830

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in the
St. Maries Gazette submitted as proof of ~~comex~~
~~pletion of works and~~ beneficial use on Permit 32751.

Before a ~~certificate and~~ license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: plat of water district

*exam typed
32751*

RECEIVED

JUL 5 1968

Affidavit of Publication

Department of Reclamation

STATE OF IDAHO,)
County of Benewah,) ss

Jo Jane Hammes
Robert M. Hammes, being first duly sworn on oath, deposes and says that he is 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 paper for a period of four issues, the first publication being on the 29th day of March, 1968 and the last on the 18th day of April, 1968

That said newspaper was regularly distributed to its subscribers during the time of said period; that said notice was published in the regular and entire issue of said paper.

Jo Jane Hammes

Subscribed and sworn to before me this 19th day of April, 1968

Ora Lyon

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

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on April 30, 1968, at St. Maries, County of Benewah, State of Idaho, before notary public Richard McFadden, Attorney, St. Maries, Idaho, proof will be submitted of the diversion of 0.5 c.f.s of the waters of Adams Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 32751, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Fernwood Water District, Fernwood, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.
3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.5 c.f.s.
4. The point of diversion of said water is SE 1/4, Sec. 28, T. 44 N. R. 1 E, B. M., Benewah County.
5. The place where said water is used is Village of Fernwood and Vicinity (SW1/4, Sec. 31, T. 44 N, R. 1 E, B. M.)
6. The date of priority which said user is prepared to establish is February 25, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer

No. 1930 - March 29 - April 18.

32751

June 7, 1968

Re: Permit No. 32751

Fernwood Water District
Fernwood, Idaho 83830

Gentlemen:

As of this date we have not received the depositions and affidavit of publication which were to have been taken on April 30, 1968, on the above referenced permit.

Please be advised that this permit will be held for cancellation if the depositions and affidavit of publication are not received by June 25, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

*sent in error
not due until Feb. 1969
dj*

32751

C
O
P
Y

State of Idaho
Department of Water Resources

AMENDED

AMENDED

WATER RIGHT LICENSE

License of Water Right No. 92-2027 Priority February 25, 1966 Amount 1.0 cfs

THIS IS TO CERTIFY, that Fernwood Water District
of Fernwood, Idaho, has complied with the terms and conditions of Permit
No. 92-2027 issued pursuant to Application for Permit dated February 25, 1966,
and has submitted proof to the Department of Water Resources on April 30, 1968,
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 1.0 cfs of water from Adams 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
Domestic	from <u>January 1</u> to <u>December 31</u> at <u>1.0</u> cfs and <u>132.0</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 1.0 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
132.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28,
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 $\frac{1}{4}$	

Total number of acres irrigated _____

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 6 day of

Sept., 19 83.

Director

WATER LICENSE

Water License No. 32751/92-2027 Priority February 25, 1966 Amount 1.0 c.f.s.

THIS IS TO CERTIFY, that FERNWOOD WATER DISTRICT
of Fernwood, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated February 25, 1966; that Permit 32751/92-2027 was issued pursuant
to said application; that the proposed works were completed on or about September 1967,
with a storage/or carrying capacity of 1.0 c.f.s., said works consisting of reinforced concrete
diversion structure with filter, chlorinator & storage tank; and that on April 30, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 7.2
acre feet per season, with a maximum rate of diversion of 1.0 cubic feet per second of the waters
of Adams Creek, tributary of St. Maries River,
for the purpose of Domestic from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, T. 44 N, R. 1 E, B.M., and
other additional points _____, in the County of
Benewah; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 7.2 acre feet per year.

Description and location of place of use: Village of Fernwood

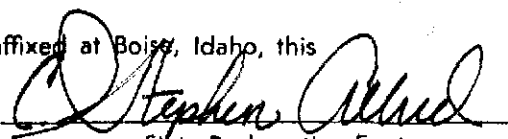
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of November, 19 69.


Deputy State Reclamation Engineer

92 2027

32751

92-2027

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 40919
PERMIT No. 32751
DISTRICT No.

1. Name of Applicant: Fernwood Water District
Postoffice address: Fernwood County: Benewah State: Idaho
I. If applicant is a corporation, give:
 (a) Date and place of incorporation: By District Court order - November 19, 1965
 (b) Amount of capital stock: None
 (c) Amount paid in: None
 (d) Names and addresses of directors: Elmer Tillotson, Joe F. Lavigne, W. E. Moss, Fred Forker and N. C. McCall
 II. The financial resources of the applicant are:
 (a) Cash on hand: \$50.00 (c) Bond to be issued: None
 (b) Treasury stock: None (d) Other resources: Statutory Tax Authority
2. Quantity of water claimed: 1.0 cubic foot per sec. cubic feet per second.
3. Source of water supply: Adams Creek which is a tributary of St. Maries River
300 ft. E. & 200 ft. N.
4. Location of point of diversion: feet distant from the SW
corner of Section 28, T. 44 N., R. 1 E., B.M., and is in the SE
of section 28, T. 44 N., R. 1 E., B. M., County of Benewah
5. Water is to be used for Domestic
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: 1200 N. & 500' E. feet distant from SW Cor. corner of Section 31
 T. 44 N., R. 1 E., B.M., in the SW of Section 31, T. 44 N., R. 1 E., B.M.
 Village of Fernwood
 (b) Amount of power generated: 0 H.P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section, T., R., B.M., in the
 of Section, T., R., B.M.
7. Estimated cost of works: \$ 94,000
8. Kind of works: Pipe line delivery from Adams Creek and distribution in Village.
9. Height of dam 2 feet; length of dam at top 10 feet; length of dam at bottom
feet; material used in dam: Concrete
10. Size of headgate: Width None feet; height feet.
11. Ditch: Width at bottom None feet; width at water line feet; depth of water feet;
 dimensions of flume:
 Diameter of pipe inches; length of conduit miles.
 Average grade per mile feet.
12. The time required for the completion of such work is One (1) years.
13. The time required for the complete application of the water to the proposed use is one (1) additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

s/ Fernwood Water District Applicant.

By Jerrold E. Park Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. February 25, 1966

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32751
Recorded in Book 114 Page 32751 Approved February 25, 1966
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before April 25, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before August 25, 1966
The whole of said work to be completed on or before February 25, 1967
Beneficial use of water appropriated in accordance herewith, to be made on or before February 25, 1968

WITNESS My hand this 25th day of February, 1966

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 25th day of February, 1966.
Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS Secretary of State. By s/ ROBERT E. SMYLIE Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4	NW1/4	SW1/4	SE1/4	Totals
			NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	NE1/4 NW1/4 SW1/4 SE1/4	
			EXTENSION OF TIME APPROVAL ✓				
			I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the extension of time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 32751 to February 25, 1968.				
			Witness my hand this 31st day of January, 1967.				
			Recorded: 1-31-67				
			/s/ R. KEITH HIGGINSON State Reclamation Engineer				

PERMIT NO. 32751

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that FERNWOOD WATER DISTRICT of Fernwood, County of Benewah, and State of Idaho, the holder of Permit No. 32751, issued upon Application No. 40919 bearing date of priority of February 25, 1966, authorizing the diversion of 1.0 second feet of waters of Adams Creek County of Benewah, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.5 second feet of the waters of Adams Creek, tributary of St. Maries River, that the point of diversion of said waters is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 44 North, Range 1 East, Boise Meridian; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

Domestic Use

Proof of Completion of Works made: January 16, 1968

Witness my hand this 5 day of March, A. D. 1968

/S/

R. KEITH HIGGINSON
State Reclamation EngineerLICENSE ISSUED FOR 1.0 SEC. FT.
LICENSE PAGE NO.

October 7, 1983

RE: Water Right License No. 92-2027

Fernwood Water Dist.
c/o Mr. Bill Cady
Box 41
Bernwood, ID 83830

Dear Mr. Cady:

In updating our files, an error was found in the water right license issued in November, 1969 for permit No. 92-2027. The original license indicates a maximum water use amount of 7.2 acre feet per year. However, under present policy, the volume would be calculated to be 132.0 acre feet per year.

Enclosed please find a copy of an Amended water right license adjusting this calculation.

If you have any questions on this matter, please feel free to contact this office or our Northern Regional office at 667-6484.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

TO: Dave

7-27-83

FROM: Jim

RE: Lic. 92-2027

You requested Robyn to review an apparent error in the Volume under this right.

A review of the documents contained in this file shows the following:

1). Field Examiner's Report.

A. no means for measurement of flow.

B. 4 in diversion pipe

C. Examiner (Don Watts - an engineer) est. max of 0.5 cfs w/ave. @ 0.2 cfs

D. Examiner identified that storage tank was part of system.

E. field exam contains language to allow 1.0 cfs w/ 7.2 AF/ANN. signed by someone other than

E. cont.

the field examiner

F. field exam does not contain any justification for

Yes. Field exam shows an annotation that FHA records show 3 gpm for 150 residences = 450 gpm, or ≈ 1.0 cfs ~~one~~ (1.0 cfs) or 7.2 $\checkmark$ AF/ANN.

2) Proof of Completion of Works.

A. Identifies storage tank as 100,000 gals.

3.) Misc. Correspondence after field exam was made identifies Pt. being developed as 1.0 cfs and 7.2 AC FT/ANN.

If the Department was to license this right under present policy the volume would be calculated as:

$$110 \text{ units} \times \frac{1.2 \text{ AF/ANN}}{\text{(see attachment for additional calculations)}} = \underline{\underline{132.0 \frac{\text{AF}}{\text{ANN}}}} \text{ unit}$$

Recommend:

If license were to be amended that 132.0 AF/ANN be used.

INTER-DEPARTMENT MEMO — 1

FROM

Rlyn

TO

Jim

DATE

7/25

SUBJECT

Sorry it has taken me so long to review this - apparently it somehow got on the bottom of the stack for licensing - Anyhow I cannot see how 72.0 AF could be - see my calculations. 7.2 is Too low, which one do you think I should use?

SIGNATURE

INTER-DEPARTMENT MEMO — 1

DATE 5/19/83

FROM

Dave T

TO

Robyn

SUBJECT

92-2027

Bob Haynes called to report an apparent error on this license. It appears there is a decimal error on the AF amount — should be 72 AF rather than 7.2. Please check out. An amended license, if needed, should be sent to: Mr. Bill Cady, P.O. Box 41, Fernwood Id 83830

Dave

SIGNATURE

Volume Calculations for 92-2027

Licensed in Nov 1969 for 1.0 cfs which includes 110 residences, small businesses & fire protection

$$V = 110 \times 1.2 = 132.0 \text{ AF}$$

$$24 \text{ hrs} \quad 1.0 \times 1.9835 \times 365 = 723.9 \text{ AF}$$

$$12 \text{ hrs} \quad 1.0 \times .99174 \times 365 = 361.9 \text{ AF}$$

$$2 \text{ hrs} \quad 1.0 \times .16529 \times 365 = 60.3 \text{ AF}$$

RC 7/25/83

Per est. shown on field exam:

$$24 \text{ Hrs} \quad .8 \text{ cfs} \times 1.9835 \times 365 = 144.8 \text{ AF/ANN}$$

~~Per Water User Handbook: (sewer peak demand over no period)~~

$$12 \text{ HRS} \quad .2 \text{ cfs} \times .99174 \times 365 = 72.4 \text{ AF/ANN}$$

Jim
7-26-83

November 18, 1969

Re: Permit No. 32751/92-2027

C
C
P
Y
Fernwood Water District
Fernwood,
Idaho 83830

Gentlemen:

Enclosed is your Water License issued on the above numbered permit.

Also enclosed is departmental receipt No. 3854 in the amount of \$5.00 covering the fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

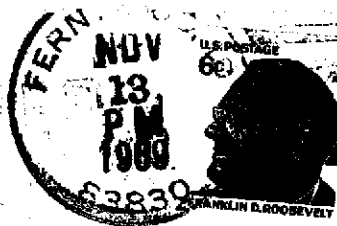
Enclosures

32751

92-2027

FERNWOOD WATER DISTRICT
FERNWOOD, IDAHO

RECEIVED



Department of Reclamation
Department of Reclamation,
Statehouse Annex, 2.

Boise.

Idaho.

83707,

32751
15123
92-2027

October 28, 1969

Re: Permit No. 32751/92-2027

Fernwood Water District
N. C. McCall
Fernwood, Idaho

Dear Mr. McCall:

A representative of this department has made an examination of the works covered by your Permit 92-2027 and has found the following:

Quantity of water diverted: 1.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.0 c.f.s.

The maximum quantity diverted shall not exceed 7.2 acre feet per season.

Beneficial Use: for domestic use in SW $\frac{1}{4}$, Fernwood & Vicinity,
Section 31, Twp. 44N, Rge. 1E, B.M.

The priority date established is: February 25, 1966

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:ah

32751
92-2027

October 28, 1969

Re: Permit No. 32751/92-2027

Fernwood Water District
N. C. McCall
Fernwood, Idaho

Dear Mr. McCall:

A representative of this department has made an examination of the works covered by your Permit 92-2027 and has found the following:

Quantity of water diverted: 1.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 1.0 c.f.s.

The maximum quantity diverted shall not exceed 7.2 acre feet per season.

Beneficial Use: for domestic use in SW¼, Fernwood & Vicinity,
Section 31, Twp. 44N, Rge. 1E, B.M.

The priority date established is: February 25, 1966

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:mh

32751
92-2027

Source of supply Adams Co.
a tributary of St. Marie R.
Location of P.D.(s) S.W. 1/4 SE 1/4 of 28 T44N21E (the area is densely forested but I believe this is correct)

Water is used for Municipal use in Townsend & Vic
Quantity of water found see comments

How was the measurement made? None

Measurement calculations Had no way to measure flow into a 1" diversion pipe or at any point along it. It is inaccessibly and requires a long walk or a 4 wheel drive vehicle for access. Then special equipment would be needed for the small flow. I doubt if more than 0.5 cfs could be put through the 1" feeder line or that an average flow of over 0.2 cfs is anticipated. The storage tank allows for larger flows of short duration for fire protection.

Diversion works description and diagram

4 in pipe from diversion dam to filter then 8" line to chlorinator then maine from 2" to 6" dia to service the town, chlorinator is in a concrete

along main town Co. line of town just the end of town Co. line
Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Water serves 110 residences and small businesses & six fire hydrants

It is disposed of by individual systems?

Who represented the permit holder at the examination?

Don Matthea, a water board member

Recommended allowance for licensing 1.0 cfs

Description of required amendments. Comments.

F.H.A. financed and all locations checked by survey for Mr. Matthea

Chlorinator is in a concrete housing about 4' x 5' x 4' 3" H. covered from south in SE 1/4 NW 1/4, Sec 32 T44N-R1E

3	3
20	5
3	3
16	

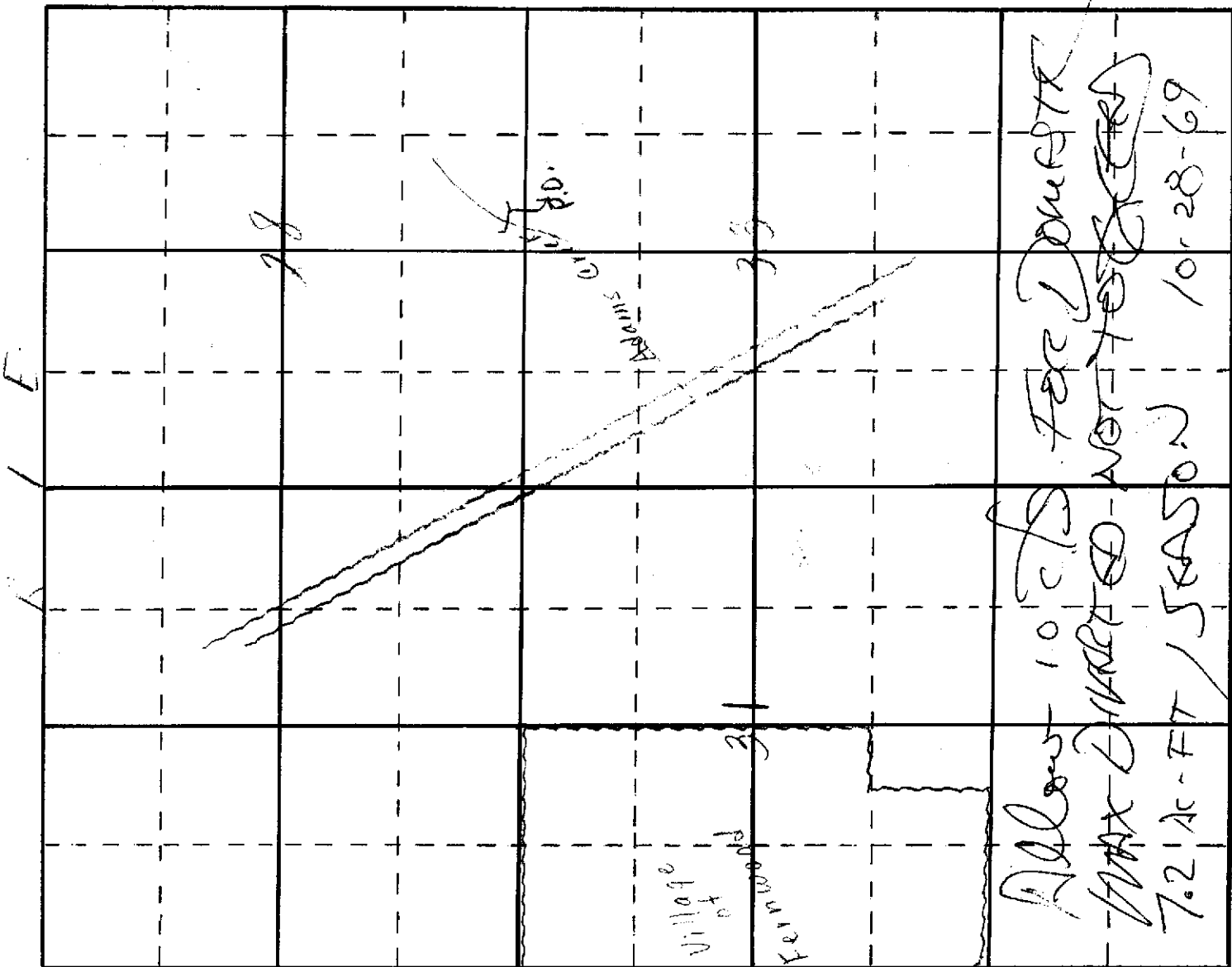
right beside town Co.

F.H.A. Records show Design for 3gpm delivery to 150 residences simultaneously. Design By Kenneth A. Dartschi P.E. - Cover D Aylene

Report checked? _____

Examination date 6/15/69

Signature Don Matthea



Permit No. 32751 BENEFICIAL USE ONLY 94 Pen Walters

Name of Applicant Fernwood Water District, N. C. McCall, Fernwood, Idaho

Source of Water Adams Creek

a tributary of St. Maries River

Location of P.D. SE 1/4, Sec. 28, T. 44 N, R. 1 E, B.M., Benewah County.

Water is used for Domestic

Quantity of water claimed: Permit 1.0 c.f.s. Depositions Adv. 0.5 - 1.0 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works reinforced concrete diversion structure with filter, chlorinator and storage tank

Room 412 Fed Bldg

Land to be irrigated or place of use: TWP. 44 N RGE. 1 E SEC. 31 more than here Description SW 1/4 Fernwood & Vicinity

Date filed: February 25, 1966 Total acreage

Proof due: February 25, 1969

Proof made: April 30, 1968

Priority: February 25, 1966

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

--

July 30, 1968

Re: Permit No. 32751

Fernwood Water District
Fernwood, Idaho 83830

Gentlemen:

We acknowledge receipt of the depositions and affidavit of publication in the
St. Maries Gazette submitted as proof of ~~comple-~~
~~tion of work~~ and beneficial use on Permit 32751.

Before a ~~certificate~~ license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: plat of water district

clerical typed
32751

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

JUL 5 1966

Boise, Idaho

Permit No. 32751

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

N. C. McCall, logger, Fernwood, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

Fernwood Water District, Fernwood, Idaho -- deponent is
Chairman of Board of Directors.

Ques. 3. State number, approval date of permit, and date of priority: # 32751

2-25-66

2-25-66

Ques. 4. State source of water supply: Adams Creek

Give location of point of diversion, showing subdivision, section, township and range

Southwest Quarter of the Southeast Quarter of Section 28, Township 44 North,
Range 1 East, Boise Meridian.

Ques. 5. Describe your works of diversion: Reinforced concrete diversion structure

with filter, chlorinator & storage tank. state amount of water they are capable of con-

veying from point of diversion to place of use: approx 1 s.f.; Give name of canal or ditch

or other works by which water is conducted to such place of use: Pipeline

_____ ; if a well, state depth of well _____ ; depth and size of

casing _____ ; depth to water _____ ; if pump is used,

state discharge of pump: _____ ; tell how it was measured or determined _____

_____ ; if sprinkler irrigation, give number and size

of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Domestic and industrial use within
the boundaries of the Fernwood Water
District (If for irrigation, name each subdivision in which used and number of acres in
each subdivision that have actually been irrigated with said water:

32751

State nature of all improvements which have been made as a direct result of said use:

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Domestic and industrial use -- see attached plat.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Sept. 1967 - 1 s.f. - Time used since first use:

Continuously

Ques. 10. Describe all other water rights appurtenant to same place of use: Right
formerly owned by and acquired from Fernwood Water Company to appropriate
3.2 feet per second from Crystal Creek in Benewah County, Idaho, under
permit No. 9571, approved September 6, 1913. (present status of this
right not known).

(sign) M.C. McCall

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

St. Maries, County of Benewah

State of Idaho, on this 30th day of April, A. D. 1968.

My commission expires: 3-6-69

Richard J. Fisher
Notary public

32751

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
32751

Permit No. _____

RECEIVED

JUL 5 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Jerrold E. Park. legal age, 322 Ninth Street, St. Maries,

Idaho, attorney.

Ques. 2 Are you acquainted with Fernwood Water District, Fernwood ^{Idaho} the holder of

Permit No. 32751? How long have you known him and where does he reside?
Since organization, November 19, 1965; address - Fernwood, Idaho
I am attorney for the District.

Ques. 3. Have you read or heard said Permit No. 32751 read, and are you familiar
with its provisions and conditions: Yes X No. _____

Ques. 4. State source of water supply: Adams Creek

Give location of place of diversion, showing subdivision, section, township and range
Southwest Quarter of the Southeast Quarter of Section 28, Township 44
North, Range 1 East, Boise Meridian.

Describe works for conveying water to place of use: 8 inch pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1 How much water have you seen being so
conveyed? Not known - Systems serves about 100 domestic users.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

32751

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic and industrial use within the boundaries of Fernwood Water District --
see plat.

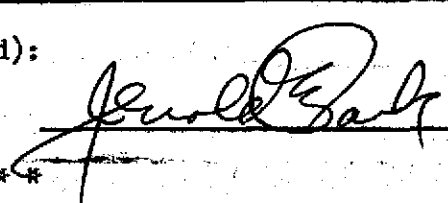
Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No.

Ques. 10. When did you first see this water used? October, 1967

Other times you have seen such use: Occasionally. I know the system has been operated continuously since October, 1967.

(Signed):



I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

St. Maries, County of Benewah, State of Idaho, on
this 30th day of April, A. D. 19 68



Notary Public for the State of Idaho

Residing St. Maries, Idaho

My commission expires 2-6-69

32751

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

JUL 5 1968

Boise, Idaho 32751

Department of Reclamation

Permit No. _____

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Fred Forker, over 50, Fernwood, Idaho, logger.

Ques. 2 Are you acquainted with Fernwood Water District, Fernwood, Idaho the holder of Permit No. 32751? How long have you known him and where does he reside?

Since organization, November 19, 1965; address - Fernwood, Idaho

Ques. 3. Have you read or heard said Permit No. 32751 read, and are you familiar with its provisions and conditions: Yes x No. _____

Ques. 4. State source of water supply: Adams Creek

Give location of place of diversion, showing subdivision, section, township and range
Southwest Quarter of the Southeast Quarter of Section 28, Township 44
North, Range 1, East, Boise Meridian.

Describe works for conveying water to place of use: 8 inch pipeline'

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 1 How much water have you seen being so conveyed? Not known - Sufficient quantity to serve about 100 users.

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

32751

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic and industrial use within the boundaries of Fernwood Water District -- see plat.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? September, 1967
Other times you have seen such use: Continuously since October, 1967.

(Signed):

Fred Foshee

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

St. Maries, County of Benewah, State of Idaho, on
this 30th day of April, A. D. 1968

Rail J. McIntire

Notary Public for the State of Idaho
Residing St. Maries, Idaho

My commission expires 2-6-69

32751

RECEIVED

1968

Affidavit of Publication

STATE OF IDAHO,)
County of Benewah,) ss

Jo Jane
Robert M. Hammes, being first duly sworn on oath, deposes and says that he is 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 paper for a period of four issues, the first publication being on the 29th day of March, 1968 and the last on the 18th day of April, 1968

That said newspaper was regularly distributed to its subscribers during the time of said period; that said notice was published in the regular and entire issue of said paper.

Jo Jane Hammes
Subscribed and sworn to before me this 19th day of April, 1968

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

NOTICE OF PROOF OF APPLICATION FOR WATER TO BENEFICIAL USE
To wit: That on April 11, 1968, at St. Maries, Benewah County, State of Idaho, before me, Notary Public, the following person, Robert M. Hammes, being first duly sworn on oath, deposes and says that he is 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.
The name and address of the person who is the owner of the water right is Fernwood Water District, Fernwood, Idaho.
Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cfs per second.
The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.5 cfs per second.
The point of diversion of said water is SE 1/4, Sec. 28, T. 44 N. R. 1 E., B. M., Benewah County, Idaho.
The place where said water is used is Village of Fernwood and vicinity (SW 1/4, Sec. 31, T. 44 N. R. 1 E., B. M.).
The date of priority which said user is prepared to establish is February 25, 1968.
R. KEITH HIGGINSON
State Reclamation Engineer.
Nov 1930 - March 28 - April 18.

32751

LAW OFFICES OF
McFADDEN & PARK

ST. MARIES, IDAHO

TELEPHONE 245-2521

RECEIVED

JUL 5 1968

July 3, 1968

Department of Reclamation

Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
107 State House
Boise, Idaho

Re: Fernwood Water District

Dear Mr. McEldowney:

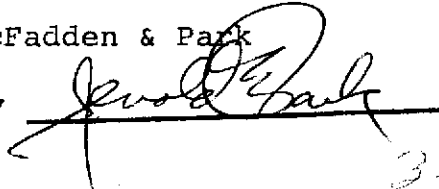
Enclosed are the depositions showing completion of application of water to beneficial use by Fernwood Water District. Also enclosed is the necessary affidavit of publication and a plat showing the District's water system.

If anything further is required to complete validation of this water permit, please advise the undersigned.

P.S. If you do not need this plat, we would appreciate its return.

Very truly yours,

McFadden & Park

By 

JEP/ps

32751

June 7, 1968

Re: Permit No. 32751

Fernwood Water District
Fernwood, Idaho 83830

Gentlemen:

As of this date we have not received the depositions and affidavit of publication which were to have been taken on April 30, 1968, on the above referenced permit.

Please be advised that this permit will be held for cancellation if the depositions and affidavit of publication are not received by June 25, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DJ

*sent in error
not due until Feb. 1969
dy*

32751

C
O
P
Y

NOTICE OF PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

Notice is hereby given that on April 30, 1968, at St. Maries, County of Benewah, State of Idaho, before notary public Richard McFadden, Attorney, St. Maries, Idaho, proof will be submitted of the diversion of 0.5 c.f.s. of the waters of Adams Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 32751, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Fernwood Water District, Fernwood, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.5 c.f.s

4. The point of diversion of said water is SE 1/4, Sec. 28, T. 44 N. R. 1 E, B. M., Benewah County.

5. The place where said water is used is Village of Fernwood and Vicinity (SW1/4, Sec. 31, T. 44 N, R. 1 E, B. M.)

6. The date of priority which said user is prepared to establish is February 25, 1966.

R. KEITH HIGGINSON

State Reclamation Engineer

No. 1930 - March 29 - April 18.

For proofing

32751

Re: Permit No. 32751
Fernwood Water District

March 20, 1968

M. C. McCall
Fernwood Water District
Fernwood, Idaho 83830

Dear Mr. McCall:

This acknowledges receipt of the notice of intent to make proof of ~~com-~~
~~pletion of works and~~ application of water to beneficial use for permit No.
32751.

We have mailed the notice to the Gazette-Record to be
published once a week for four consecutive weeks prior to April 30, 1968,
which is the hearing date when the permit holder _____
Fernwood Water District

and two disinterested witnesses must appear before _____
Richard McFadden, notary public, to complete
the enclosed depositions. The witnesses must be familiar with the works and
permit.

After the hearing, the depositions and an affidavit of publication must be
submitted to this office. The affidavit may be obtained from the newspaper
when the advertising bill is paid by Fernwood Water District.
Be sure all the forms have the notary's seal and are signed. Please feel free
to contact us if we may be of any assistance.

Very truly yours,

Donald W. McElowney
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

32751

March 20, 1968

Re: Permit No. 32751
Fernwood Water District

Gazette-Record
St. Maries, Idaho 83861

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to April 30, 1968. The expense of the publication is to paid by M. C. McCall, Fernwood Water District, Fernwood, Idaho 83830

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

32751

**NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

Notice is hereby given that on April 30, 1968 at St. Maries,
County of Benewah, State of Idaho, before notary public (name & address) Richard M. Fadden, Attny. St. Maries, Idaho, proof will be
submitted of the completion of works for the diversion of 0.5 c.f.s. of the waters
of Adams Creek, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 32751, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Fernwood Water District,
Fernwood, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
0.5 cubic feet per second.
3. The use to which said water has been applied is _____
domestic purposes, and the amount applied to beneficial
use is 0.5 c.f.s.
4. The point of diversion of said water is SE 1/4, Sec. 28, T. 44 N, R. 1 E, B.M.,
Benewah County.
5. The place where said water is used is Village of Fernwood and Vicinity
(SW 1/4, Sec. 31, T. 44 N, R. 1 E, B.M.)
6. The date of priority which said user is prepared to establish is _____
February 25, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer

32751

RECEIVED

MAR 13 1968

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

Fernwood Water District
Fernwood Idaho - 83830

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Gazette-Record of

St. Maries, Idaho 83861; published in the county in which the works are situated.

Fernwood Water District
McC. McC Call
 (signature)

Fernwood Idaho 83830
 (address)

March 13, 1968
 (date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

K. A. Dutschke
 Engineer

32751

March 5, 1968

Re: Permit No. 32751

N. C. McCall
Fernwood Water District
Fernwood, Idaho 83830

Dear Mr. McCall:

Enclosed is your Certificate of Completion of Works on
the above numbered permit.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kd

Enclosure

32751

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that FERNWOOD WATER DISTRICT
 of Fernwood, County of Benewah, and State of
 Idaho, the holder of Permit No. 32751, issued upon
 Application No. 40919 bearing date of priority of February 25, 1966, authorizing the
 diversion of 1.0 second feet of waters of Adams Creek
 County of Benewah, State of Idaho, for domestic
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.5 second feet of the waters of Adams Creek, tributary
 of St. Maries River,

that the point of diversion of said waters SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 44 North,
 Range 1 East, Boise Meridian;

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit:

Proof of Completion of Works made: January 16, 1968.

Witness my hand this 5 day of March, A. D. 1968.

R. Keith Higgins
 State Reclamation Engineer

32751

Permit No. 32751STATE OF IDAHO
Department of Reclamation

RECEIVED

MAR 4 1968

RECEIVED

Department of Reclamation

MAR 18 1968

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Banewah

SS.

Fernwood Water Dist

being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 32751, and that his postoffice address is Fernwood, Idaho
State of Idaho

Second: That the name of the stream from which said water is to be diverted is _____

Adams Creek

Third: That the point of diversion of said water is SW¹/₄ SE⁴/₄ Sec 28 T 44N R 1E B M
in BANNAWAH County, Idaho

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Feb. 25, 1968

Fifth: That the use for which said water is intended is Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

X I. Kind of Works: Concrete Cutoff wall with 8" pipe 18 ft

then 20 ft in pipe 1 1/4 mile to 4" pipe 20 ft x 4 ft and
II. Dimensions of work: 100,000 lbs of steel reinforcement 8" pipe to bottom 1 1/4 mile and pipe in trench

(a) Height of dam 18 feet, length of dam at top 18 feet, length of dam at bottom 16 feet. Material used in construction Concrete

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir 0 acre feet.

(c) Size of headgate: Width 2'-0" feet, height 2'-0" feet.

(d) Conduit N/A width at bottom _____ feet, width at water line 8'20 6" to 4"

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water _____ feet; diameter of pipe 6" inches, average grade per mile is 50% feet. Length of conduit is 1.27 miles.

X Seventh: That said works are capable of conducting to the place of intended use 5/10 second feet of water.

Eighth: That water appropriated under said permit is available for N/A acres of land described as follows: House hold use and fire protection

Ninth: Remarks:—That _____

FERNWOOD WATER DISTRICT

By M.E. McCall

(SIGN HERE)

CHAIRMAN

Subscribed and sworn to before me this 16th day of January, 1968

Jewell B. Burt

NOTARY PUBLIC

My commission expires 5-25-69

32751

January 24, 1968

Re: Permit No. 32751

N. C. McCall, Chairman
Fernwood Water District
Fernwood, Idaho

Dear Mr. McCall:

We are returning your affidavit of holder submitted as proof of completion of works under Permit No. 32751. As your affidavit is incomplete, we cannot accept it as the required proof.

As you will note, we have inserted x's indicating where additional information or answers must be supplied. On the first line of the affidavit, you have omitted the applicant's name. Under Item 6 1, you have listed a concrete cutoff wall as a kind of works installed. It is noted that the permit, as approved, called for a pipeline delivery system from Adams Creek and distribution in the village. We question at this time, whether or not you have installed the delivery line. Under Item 6 2d, you have listed a 6" diameter pipe. We wonder if we are to assume from this that the water district has also installed the delivery system. It is specifically required that Item 7 be completed as to the quantity of water that the works are capable of conducting to the place of intended use in cubic feet per second.

We appreciate your assistance in clarifying the issues at hand. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Affidavit of holder

32751

Fernwood Idaho

Jan 17, 1968

RECEIVED

JAN 18 1968

Department of Reclamation

Dear Sirs

I am returning the form of Proof of Completion of work filled out and would like you to send the forms for the last Proof that you mention in your letter as the water has been fully applied to our use.

Fernwood Water Dist

Mc. McCall

all proof forms sent 3-5-68 ds

32751

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

Boise, Idaho

December 1, 1967

Re: Permit No. 32751

Fernwood Water District
Fernwood, Idaho

Gentlemen:

Under the terms of your Permit No. 32751 you are required to complete your diversion works on or before Feb. 25, 1968. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

32751

January 31, 1967

RE: Permit 32751

Fernwood Water District
Fernwood, Idaho

Gentlemen:

Attached herewith is approval of the State Reclamation
Engineer for an extension of time on the above numbered per-
mit. This extension is to February 25, 1968.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Approval

3 2751

STATE OF IDAHO
Department of Reclamation

Application for Extension of Time for Completion of Works

State of Idaho

County of Benewah

ss.

Permit No. 32751N. C. McCall, of Fernwood

State of Idaho, being first duly sworn, upon his oath deposes and says:
Chairman of the Board of Fernwood Water District,

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
 No. 32751.

That under the terms and conditions of said permit, construction work thereunder was required to be
 completed by February 25,, 1967.

That he has heretofore performed the following work described under said permit:

Engineering, planning and financing of domestic water
system for Fernwood Water District

Costing \$ 6,000 approx.

That he is unable to complete the remainder of the work within the required time for the following
 reasons, to-wit: This project involves the construction and equipping of a
complete domestic water system to serve up to 150 users, at a cost of
approximately \$100,000. Inevitable delays encountered in planning,
financing, etc. made it impossible to complete the project within the
allotted time.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of
 works under said permit to February 25, 1968

Subscribed and sworn to before me this 26th day of January, 1967

My commission expires 5-25-69

Notary Public.

Date of receipt at office of Department of Reclamation January 31, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby extend
 the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho,
 No. 32751 to February 25, 1968.

Witness my hand this 31st day of January, 1967

R. Keith Higginson
 State Reclamation Engineer.

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

Boise, Idaho
Dec. 1, 1966

Re: Permit No. 32751

Fernwood Water District
Fernwood, Idaho

Gentlemen:

Under the terms of your Permit No. 32751 you are required to complete your diversion works on or before Feb. 25, 1967. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

32751

March 9, 1966

32751

Re: ~~Fernwood~~ Fernwood Water District

Mr. Jerrold E. Park,
Attorney at Law,
St. Maries, Idaho.

Dear Mr. Park:

32751

We enclose Permit No. _____ in which we direct
your attention to the limitations and conditions as given on the
fourth page under approval of the State Reclamation Engineer

33116

We also enclose Departmental Receipt No. 5.00
which was issued covering payment in the amount of \$ _____
for the filing fee of the above mentioned permit.

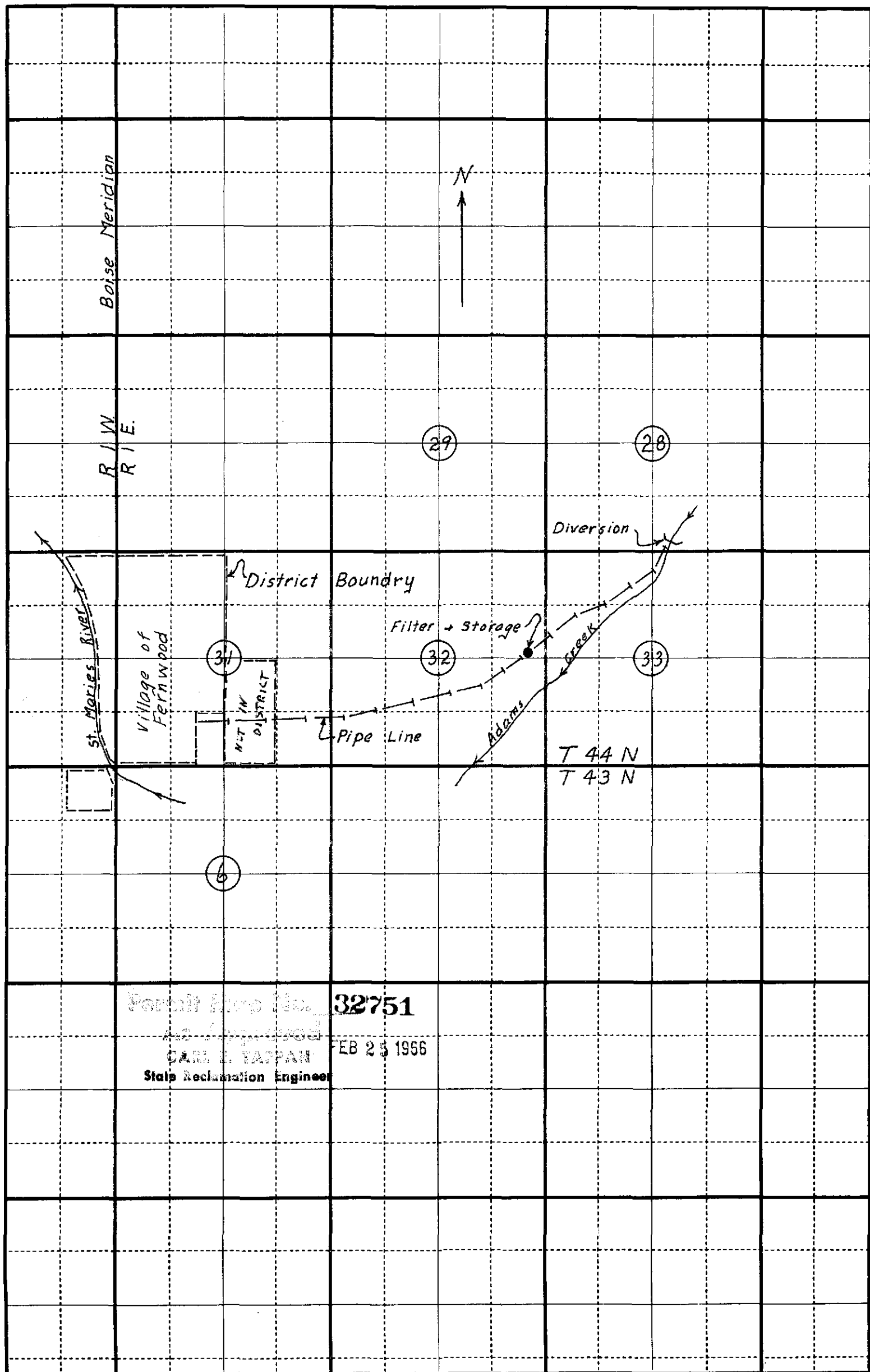
Very truly yours,

(MRS.) EDNA P. RULE
Chief Clerk

EPK:pmk

cc: Fernwood Water District
Fernwood, Idaho

32751



Permit Map No. **32751**

As Approved

CARL E. TAPPAN

State Reclamation Engineer

FEB 25 1956

32751

February 23, 1966

RE: Application for Permit, January 12, 1966

Jerrold E. Park
Attorney at Law
St. Maries, Idaho

Dear Mr. Park:

Our letter of January 17 requested that the forms enclosed be completed and returned to this department. They have not been received as of this date.

Please advise us as to the progress of the application.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

32751

January 17, 1966

RE: Application for Permit

Jerrold E. Park
Attorney at Law
St. Maries, Idaho

Dear Mr. Park:

Enclosed find forms for permit application.

Your filing of January 12 for Fernwood Water District has been received with the fee of \$5.00, and is retained for our records.

It would be appreciated if you would complete the enclosed forms and return them to this department. Exact location of the pipeline is not required on the enclosed maps. The General route of the line is sufficient.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

Enc. Forms 1, Instructions

32751

LAW OFFICES OF
MCFADDEN & PARK
ST. MARIES & PLUMMER
IDAHO

January 13, 1965

RECEIVED
JAN 17 1966

Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

Re: Fernwood Water District
Application to Appropriate Water

Gentlemen:

We enclose herewith the original and one copy of an Application to Appropriate Water, which is filed on behalf of the Fernwood Water District, Fernwood, Idaho.

We recognize that the application, as submitted, is not sufficiently complete to enable you to take final action upon it. However, we are hopeful that the filing of the application now, to be supplemented by additional data as soon as the same is made available to the District by its engineers, will serve to expedite the granting of the application following its completion.

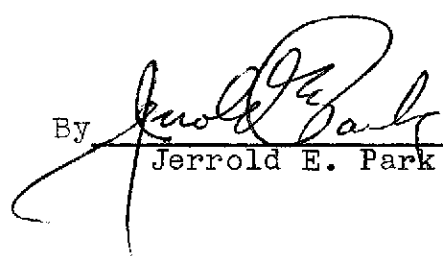
If any further action will be required on the part of the applicant, other than the furnishing of the additional data referred to in paragraphs four and five of the application please advise the undersigned, in order that the District can proceed with compliance without delay.

Your cooperation in connection with this matter will be appreciated.

Very truly yours,

MCFADDEN & PARK

By


Jerrold E. Park

JEP/jd

Enclosures - 2

32751

RECEIVED
JAN 17 1966

APPLICATION TO APPROPRIATE WATER DEPARTMENT OF RECLAMATION

Application is hereby made to the Department of Reclamation of the State of Idaho for a permit to appropriate water. In accordance with the provisions of Idaho Code Section 42-202, the applicant hereby shows to the Department of Reclamation as follows:

1. The applicant is Fernwood Water District, a duly constituted water district, organized under the provisions of Chapter 32 of the Idaho Code, with its post office address at Fernwood, Idaho.
2. The source of the water proposed to be appropriated will be "Adams Creek", at a point approximately two and one-half miles east and north of Fernwood, Idaho, located in the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 28, Township 44 North, Range 1 East, Benewah County, Idaho.
3. The proposed use of such water will be for domestic purposes - the supplying of water to residences and commercial establishments located within the applicant's district boundaries, which include generally the unincorporated community of Fernwood, Idaho, and the adjacent areas.
4. The precise location of the proposed pipe line from the point of diversion on Adams Creek to the District's distribution system in Fernwood cannot presently be given at this time. This information will be furnished to the Department of Reclamation as soon as the preliminary plans now being prepared by the District's engineer have been completed. In general terms, however, the proposed pipe line will follow a southwesterly course from the point of diversion on Adams Creek to the community of Fernwood, crossing portions of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and the

Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),
Section 28, the Northwest Quarter (NW $\frac{1}{4}$) of Section 33,
the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$),
the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$),
the North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of Section
32, and the South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$)
and the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$)
of Section 31 all in Township 44 North, Range 1 East.

Likewise, the amount of water desired to be
appropriated cannot be stated definitely until the Engineer's
preliminary plans are received. However, the applicant
estimates that such amount will not exceed one cubic foot
per second.

5. The time required for completion of the proposed
supply pipe line and improvements, replacements and additions
to the existing distribution system is estimated to be not
more than one (1) year from the date hereof.

6. The time required for application of the water
to its proposed domestic use, is estimated to be not more
than three months following completion of construction of
the system and improvements thereto.

The plan and map required by Idaho Code Section 42-202,
are presently in the process of preparation by the District's
engineers. These will be forwarded to the Department of
Reclamation as soon as they are received.

Filing fee in the amount of \$5.00 is submitted with
this application.

DATED this 12th day of January, 1966.

FERNWOOD WATER DISTRICT

By /s/ Jerrold E. Park
Jerrold E. Park, of McFadden & Park
Its Attorneys

RECEIVED
JAN 17 1968

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FERNWOOD WATER DISTRICT

By

Jefford E. Park
Jefford E. Park, of McFadden & Park
Its Attorneys