

APPLICATION FOR TRANSFER OF WATER RIGHT

Transfer No. 70294

RECEIVED

FEB 4 2003

Department of Water Resources

Name of applicant PATRICK M. McTAGGERT Phone (208) 683-4319
Post Office address PO Box 2607 Hayden 83835
25822 N. 11th St. Altus 83801

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

2. Describe the reason for the proposed changes Sale and transfer of portion of Water Right 96-2023C

2. Describe the reason for the proposed changes Safe and transfer of people
Wild life, stockwater, fire protection, ground water recharge
Irrigation

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	96-2023C	3/14/17	0.18 cfs	Irrigation	3/15 to 11/15
			(1.2) 1.15 AG	STORAGE FOR IRRIGATION	3/15 to 11/15
			(1.2) 1.15 AG	IRRIGATION FROM STORAGE	3/15 to 11/15
			(1.2) 1.15 AG	IRRIGATION STORAGE	4/1 to 12/31
	96-2023C	3/14/17	(1.2) 1.15 AG	WILD LIFE STORAGE	4/1 to 12/31
	"		(1.2) "	STOCKWATER STORAGE	4/1 to 12/31
	"		(1.2) "	FIRE PROT. STORAGE	4/1 to 12/31
			(1.2) "	GROUNDWATER RECHARGE	

TRANSFER
PATRICK M. McTAGHERT

[illegible]

Total acres 10

70294

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 70294

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED
FEB 4 2003

Name of applicant PATRICK M. MCTAGGERT Department of Water Resources
 Post Office address PO Box 2607 Hayden 83835 Phone (208) 683-9319
 A. PURPOSE OF TRANSFER 25288 N. ULAZY Atrhol 83801

1

2. Total amount of water being transferred 0.18 cubic feet per second and/or 39.0 acre-feet per annum.
 3. Source of water Sage Creek tributary to Sinks
 4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	53N	3W	Kootenai	Head Gate

5. Lands irrigated or place of use:

Twp.	Rge.	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	
53N	3W	34					10												10

70294

Total acres 10

PART 1

6. General Information:

a. Description of diversion system GRAVITY FLOW, DITCH DIVERSION FROM
SAGE CREEK - 12"-6" BURIED LINE TO POND & IRRIGATION
SYSTEM

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes NO No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO CHANGE

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 96-2023C

Priority Date: 03/14/1917

Origin: Water Right

Basis: License

Status: Active

Source: SAGE CREEK

Tributary to: SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	0.74 CFS	156.0 AFA	
Total Diversion		0.74 CFS	156.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
SAGE CREEK	53N	03W	36	NENW		KOOTENAI

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
53N	03W	33	11.0	30.0	11.0														52.0

Total Acres: 52

Conditions/Remarks:

- The portion of Right 96-02023 in excess of Rights 96-02023A, 96-02023B and 96-02023C in the amount of 12.14 cfs and 1663.0 acres shall be considered forfeited through approval of Transfer 5311.
The portion of Right 96-02023C used for conveyance losses is 0.37 cfs.
Approval of Transfer 5311 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.18 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	53N	3W	Kootenai	Head Gate

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
53N	3W	33	3	8	3														14

Total acres 14

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 0.56 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	53N	3W	Kootenai	Head Gate

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
53N	3W	33	8	22	8														38

Total acres 38

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	IRRIGATION STORAGE	1.15		3/15 to 11/15
	IRR. FROM STORAGE			to

2. Quantity and quality of return flows and location of discharge:

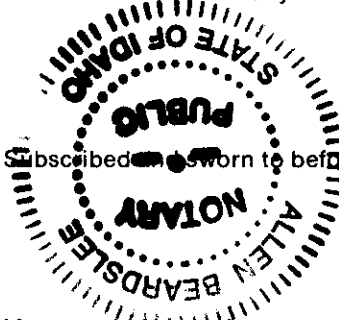
NO RETURN FLOWS

3. Describe effects on other water uses resulting from the proposed change:

NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



X Patrick M. McTague
(Signature of Applicant)

Subscribed and sworn to before me this 13th day of October, 192002

Allen Beardslee
(Notary Public)

My commission expires 8/3/06

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by dp Date 10/18/02 Protest filed by _____Prelim. check by _____ Fee \$100.00 #NO15329Receipted by dp Date 10/18/02

Published in _____ Copies of protest forwarded by _____

Sub. dates _____ Hearing held by _____ Date _____

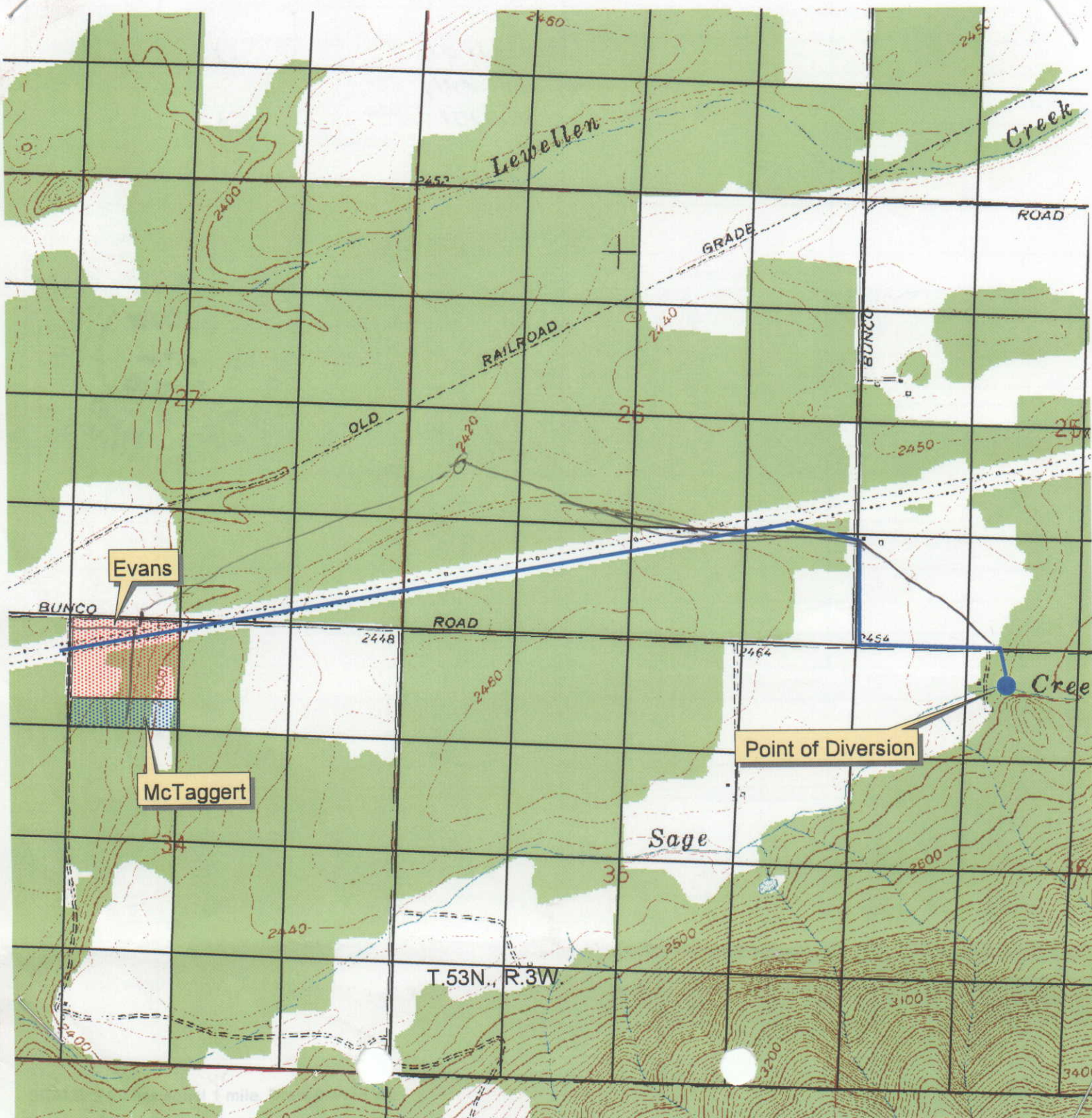
Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



70231

Page 1 of 5STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 70231

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT DEC - 5 2002

PART 1

Department of Water Resources

Name of applicant KATHY EVANS KENNY KEITH Phone 683 2136
Post Office address E 7184 Bunker Rd ATHL ID 83401

A. PURPOSE OF TRANSFER

1. Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Sale and transfer of portion of Water Right 96-2023C
96-2023C WILL BE SPLIT - EVANS/KEITH WILL RELIEVE 3/4
AND McTAGGERT WILL RELIEVE 1/4 OF 96-2023C.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------------|-----------------------|---------------------------------|----------------------------|
| 96-2023C | 3/14/17 | 0.56 | Irrigation | 3/15 to 11/15 |
| " | <u>3/14/03</u> | <u>0.04</u> | <u>"SINKS"</u> | <u>1/1</u> to <u>12/31</u> |
| " | " | <u>0.56</u> | <u>"Fine Irrigation"</u> | <u>1/1</u> to <u>12/31</u> |
| " | " | <u>0.56</u> | <u>"Enrollment for REVENUE"</u> | <u>1/1</u> to <u>12/31</u> |
2. Total amount of water being transferred 0.56 cubic feet per second and/or 117.0 acre-feet per annum.
3. Source of water Sage Creek tributary to Sinks
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	53N	3W	Kootenai	Head gate

5. Lands irrigated or place of use:

Twp.	Rge.	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	
53N	3W	34					30												30
							5												
							W												
							S												
							E												

Total acres 30

PART 1

6. General Information:

a. Description of diversion system 12" TO 6" VALVE AT COR IN PIPE
WHICH IT CROSSED BUNCO Rd FIRE HIDEOUT AND 6" DUMP
FOR CLEAN OUT AND FIRE Protection NW COR OF SBD PRO

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes NO No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____
Receipt No. NO 15326

Current Water Right No. 96-2023C

Priority Date: 03/14/1917
Origin: Water Right
Basis: License
Status: Active

Source: SAGE CREEK

Tributary to: SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	0.74 CFS	156.0 AFA	
Total Diversion		0.74 CFS	156.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
SAGE CREEK	53N	03W	36	NENW		KOOTENAI

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	33	11.0	30.0	11.0													52.0	

Total Acres: 52

Conditions/Remarks:

- The portion of Right 96-02023 in excess of Rights 96-02023A, 96-02023B and 96-02023C in the amount of 12.14 cfs and 1663.0 acres shall be considered forfeited through approval of Transfer 5311.
The portion of Right 96-02023C used for conveyance losses is 0.37 cfs.
Approval of Transfer 5311 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.56 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for S-W purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for F-E purposes from 1/1 to 12/31
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	53N	3W	Kootenai	Head Gate

3. Lands irrigated or place of use:

Twp.	Rge.	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	
53N	3W	33	8	22	8														38
<u>53N 03W-34-2600</u>																			
<u>53N 03W-34-2800</u>																			

Total acres 38**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.18 for Irrigation purposes from 3/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	53N	3W	Kootenai	Head Gate

3. Lands irrigated or place of use:

Twp.	Rge.	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	
53N	3W	33	3	8	3														14

Total acres 14

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Irrigation	0.56	3/15 to 11/15	3/15 to 11/15
	Stockwater - E	"	YEAR ROUND	9/1 to 12/31

2. Quantity and quality of return flows and location of discharge:

NONE AND 53 N 05 W - 34 - 2800
53 N 05 W - 34 - 2600

3. Describe effects on other water uses resulting from the proposed change:

SAME For Irrigation ADD Stockwater - E Groundwater Recharge
NONE

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

16th

day of

October

19 2002



Harry Evans
(Signature of Applicant)

Barbara J. [Signature]
(Notary Public)

My commission expires 6-1-07

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by [Signature] Date 10/17/02

Protest filed by _____

Prelim. check by _____ Fee \$250.00

Received by [Signature] Date 10/17/02

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5311
WATER RIGHT NO(S). 96-02023A/96-02023B/96-02023C

This is to certify that: **CARL BOHN** RIGHT NO. 96-02023A
BOX 121
ATHOL ID 83801

WILLIAM PITMAN RIGHT NO. 96-02023B
E 9700 BUNCO RD
ATHOL ID 83801

ROBERT H RICKEL RIGHT NO. 96-02023C
PO BOX 319
BAYVIEW ID 83803

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 96-02023A :			
IRRIGATION	03/15 to 11/15	2.13 CFS	276.0 AF
Priority: 03/14/1917			
Right No. 96-02023B :			
IRRIGATION	03/15 to 11/15	1.94 CFS	219.0 AF
Priority: 03/14/1917			
Right No. 96-02023C :			
IRRIGATION	03/15 to 11/15	0.74 CFS	156.0 AF
Priority: 03/14/1917			
	TOTAL:	** 4.81 CFS	651.0 AF

SOURCE

SAGE CREEK

TRIBUTARY OF

SINKS

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 36, Township 53N, Range 03W
KOOTENAI County

MICROFILMED
NOV 9 9 1998

TRANSFER NO. 5311
WATER RIGHT NO(S). 96-02023A/96-02023B/96-02023C

Right No. 96-02023A :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
53N	03W	25	NESW	6.0	NWSW	14.5	SWSW	38.5	
			SESW	20.0					79.0
	26		SESE	13.0					13.0
Total number of acres irrigated:									92.0

Right No. 96-02023B :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
53N	03W	25	NWNW	38.0	SWNW	19.5	SENE	15.5	73.0
Total number of acres irrigated:									73.0

Right No. 96-02023C :

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
53N	03W	33	NENE	11.0	NWNE	30.0	SWNE	11.0	52.0
Total number of acres irrigated:									52.0

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 5. The portion of Right 96-02023 in excess of Rights 96-02023A, 96-02023B and 96-02023C in the amount of 12.14 cfs and 1663.0 acres shall be considered forfeited through approval of Transfer 5311.
- * 6. The portion of Right 96-02023A used for conveyance losses is 0.29 cfs.
- * 7. The portion of Right 96-02023B used for conveyance losses is 0.48 cfs.

MICROFILMED
 NOV 9 8 1988

TRANSFER NO. 5311
WATER RIGHT NO(S). 96-02023A/96-02023B/96-02023C

- * 8. The portion of Right 96-02023C used for conveyance losses is 0.37 cfs.
- 9. Approval of Transfer 5311 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 14th day of October, 1998

J. Allen Saylor
Chief, Water Allocation Bureau

MICROFILMED
NOV 03 1998

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Transfer No. 5311
RECEIVED
SEP 28 1998

Name of Applicant ROBERT H RICKEL Department of Water Resources Phone _____
Postal address PO Box 319 City BAYVIEW St ID Zip 83803

A. PURPOSE OF THE TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe reason for the proposed changes: THE PURPOSE OF THIS TRANSFER IS THE SALE OF WATER RIGHT TO CARL BORN & WILLIAM PITMAN.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment _____)

1.	Right No.	Priority	Amount (cfs, ac-ft)	Nature of use	Period of Use
	<u>96-02023A</u>	<u>3/14/1917</u>	<u>2.13</u>	<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u>
	<u>96-02023B</u>	<u>3/14/1917</u>	<u>1.94</u>	<u>IRRIGATION</u>	<u>3/15</u> to <u>11/15</u>
					to _____
					to _____

2. Total diversion rate/volume being transferred: 4.07 cfs and/or 495 ac-ft per annum

3. Source of water: SAGE CREEK, tributary to: SINKS (or ☐ see Attachment _____)

4. Points of diversion (or ☐ see Attachment _____):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
<u>S3N</u>	<u>3W</u>	<u>36</u>	<u>NE</u>	<u>NW</u>			<u>KOOTENAI</u>	

5. Lands irrigated or place of use (or ☐ see Attachment _____):

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>S3N</u>	<u>3W</u>	<u>25</u>									<u>13.0</u>	<u>19.5</u>	<u>15.5</u>	<u>6.0</u>	<u>14.5</u>	<u>38.5</u>	<u>20.0</u>		<u>152.0</u>
		<u>26</u>																<u>13.0</u>	<u>13.0</u>

Total acres 165.0

☐ Permissible place of use, actual acreage irrigated not to exceed _____ acres per year.

PART 1, CONTINUED

6. General information:

a. Description of new diversion system (or ☐ see Attachment _____): PUMP + PIPELINE + GRAVITY

b. Remarks (or ☐ see Attachment _____): TO ALLOW FOR LINE LOSS IN THE DIVERSION DITCH 2.8 CFS WAS DIVERTED OUT OF SAGE CREEK TO DELIVER 2.40 AT FIELD IRRIGATION SYSTEM.

PLEASE READ THIS SECTION CAREFULLY

Is there a current lien, mortgage or deed of trust on the property? _____ Yes ☒ No
If yes, please complete Part 2, item 6.

Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? ☒ Yes _____ No
If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.

I understand that any willful misrepresentation made in this application may result in voiding the transfer approval.

X Robert H. Beckel
(Signature and Title of Applicant)

Subscribed and sworn before me on this 3rd day of JUNE, 19 98.

Allen Beardsley
(Signature of Notary Public)

(seal)

My commission expires: 8/8/2000

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by AB Date 6/3/98 Fee 100

Received by AB Date " " # NO12108

MICROFILMED
NOV 09 1998

PART 1, CONTINUED

6. General information:

a. Description of new diversion system (or ☐ see Attachment _____): PUMP + PIPELINE +GRAVITYb. Remarks (or ☐ see Attachment _____): TO ALLOW FOR LINE LOSS IN THE
DIVERSION DITCH 2.8 CFS WAS DIVERTED OUT OF SAGE CREEK
TO DELIVER 2.40 AT FIELD IRRIGATION SYSTEM.

PLEASE READ THIS SECTION CAREFULLY

Is there a current lien, mortgage or deed of trust on the property? _____ Yes ☒ No
If yes, please complete Part 2, item 6.Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? ☒ Yes _____ No
If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.

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X Robert H. Beckel
(Signature and Title of Applicant)Subscribed and sworn before me on this 3rd day of JUNE, 1998.Allen Beardsch
(Signature of Notary Public)

(seal)

My commission expires: 8/8/2000

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by AB Date 6/3/98 Fee 100Received by AB Date " # NO12108MICROFILMED
NOV 09 1998

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 96-02023

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	16.95 CFS
DOMESTIC	to	
	Totals	16.95 CFS

SOURCE

SAGE CREEK

TRIBUTARY OF

SINKS

Priority: 03/14/1917

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 36, Township 53N, Range 03W
KOOTENAI CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
52N	03W	4	NWNE 40	NENW 40		80
53N	03W	20	SWSE 20	SESE 20		40
		29	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	30		NESE 40	NWSE 40	SWSE 40	
			SESE 40			160
	32		NENE 40	SENE 40	NESE 40	
			SESE 40			160
	33		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
	34		NWNW 40	SWNW 40	NWSW 40	
			SWSW 40			160

Total number of acres irrigated: 1880

PLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:

1. AC. IRR.=1880.

2020-11-15
BY G. S. 1028

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

WR5809NP
No. 96-02023

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/04/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AUSTIN CORBIN II SPOKANE WA	03/14/1917	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	16.950 CFS	
TOTAL DIVERSION:					16.950 CFS	

Water Source: SAGE CREEK

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion: T53N R03W S36

NENW

KOOTENAI County

Place of use Legal Description for: IRRIGATION

T	R	S	NE				NW				SW				SE				SUM
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
52N	03W	4			40			40											80.0
53N	03W	20																	40.0
53N	03W	29	40		40	40	40	40		40	40	40	40	40		40	40	40	640.0
53N	03W	30														40	40	40	160.0
53N	03W	32	40				40									40	40	40	160.0
53N	03W	33	40		40	40	40	40		40	40	40	40	40		40	40	40	640.0
53N	03W	34						40	40							40	40	40	160.0
TOTAL ACRES																		1880.0	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: KOOTENAI

Remarks: GEN AC. IRR.=1880.

Dates:	App. Received:	Priority Date:	03/14/1917
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		01/20/1923

Misc: Water District Number: Field Exam Fee:

Audit: 03/10/86 05/14/88 CONVERT

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____

b. License No. 96-02023 issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water SAGE CREEK tributary to SINKS

4. Date or priority 3/14/1917

5. Water is used for the following purpose:

amount 0.74 for IRRIGATION purposes from 3/15 to 11/30
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.74 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

YES

If yes, describe

SEE PART 2, ITEM 9 (g)**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 2.13 for IRRIGATION purposes from 3/15 to 4/15
 (cfs/ac-ft)
 amount [REDACTED] for IRRIGATION purposes from 3/15 to 4/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	S3N	3W	KOOTENAI	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
S3N	3W	25									6.0	14.5	38.5	20					152.0
		26															13.0		13

Total acres 165**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.74 for IRRIGATION purposes from 3/15 to 4/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	36	S3N	3W	KOOTENAI	

3. Lands irrigated or place of use:

Twp.	Rge.	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	
S3N	3W	36	11	30	11														52

Total acres 52

Part 2, Item C

Rickel Transfer # 5311

The remaining portion of the original water 96-02023 right will consist of a total of 52 acres (see map). The remaining diversion rate is 0.74 CFS.

MICROFILMED
NOV 29 1982

Part 2, Item 9(g)

Rickel Transfer # 5311

Water Right Number 96-02023 was originally Licensed for 1880 acres, with a diversion rate of 16.95 CFS.

Since Rickel's ownership of the ranch and diversion system, the water used for irrigation is located east of Highway 95, only. See Aerial map. There has never been a period of 5 years of non-use for the 217 acres under irrigation through the 1997 irrigation season.

RECORDED

NOV 09 1998

Rickel Transfer # 5311

Ditch Conveyance Loss Considerations

Based on stream flow measurements taken on August 5, 1992, on Rickel's irrigation ditch, it was determined that there was a 50% bank & Channel loss in the 1.5 mile long ditch.

Considering that the Transfer Application will shorten the distance that the water flows in the ditch by approximately 1/3 to Bohn's property and 1/2 (total distance) to Pitman's property, there is likely to be less bank and channel losses.

On June 12, 1998, stream flow measurements taken in the wooded area of the ditch, from the diversion point and 500' downstream, indicate a 0.41 CFS loss, with the ditch flowing 5.30 CFS, to 4.89 CFS, respectively. A flow measurement was also conducted on the Bunco road (1/2 mile downstream from diversion point), which revealed 1.02 CFS, however, this low number was a result of a fairly significant leak in the ditch upstream.

Based on the above information, bank loss to Mr. Bohn's diversion point will be 16% and to Mr. Pitman's will be 33%.

Diversion Rate Calculations

Historically, Mr. Rickel used a maximum of 180 sprinkler heads, producing a total of 1,080 GPM, at 6 GPM, each. Based on a 50% ditch loss factor, the diversion from Sage Creek was 2,160 GPM, or 4.81 CFS.

Mr. Bohn has applied for 92.0 acres of irrigation with this Transfer. $92.0 \times 0.02 = 1.84 + 16\% \text{ diversion loss} = 2.13 \text{ CFS}$.

Mr. Pitman has applied for 73 acres $\times 0.02 = 1.46 + 33\% \text{ diversion loss} = 1.94 \text{ CFS}$.

0.74 CFS remains under Water Right Number 96-02023.

NOTED

NOV 19 1998

Oct-09-98 09:04A Koo' ai County Assessor 666 82

P.01

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
MICA	452	114.30	254.000		
WASTE DISPOSAL	457	80.00			
MICA FPA	482	12.70			

END -

AT8.1 125112 53N03W-34-4000
 1203 34 53N 03W
 RICKEL, ROBERT H ETUX
 PO BOX 319
 BAYVIEW, ID 83803
 W2-NW, W2-SW EX TAX #'S

REAL REGULAR ROLL for 1998 09 OCT 199
 Code Area 156-000 09:28:4

Last Year's Market: \$286,020 LAND
 -214,833 EXEMPTIONS
 \$71,187 Total
 REVAL YEAR 199

NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market	81t	Apprd	Init	Facto
06 TIMBER-PROVDTY	T2	158.900		286,020		0397	KDR	1.00
93 AG EXEMPTION	05			-208,318				*
		158.900	0.000	77,702				

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
MICA	452	78.76	175.000		
MICA FPA	482	8.76			

- END -

RECEIVED

OCT 09 1998

DEPARTMENT OF WATER RESOURCES

TO: PAM SKAGGS
 FROM: AL BEARDSLEE
 RE: RICKEL TRANSFER

8 PAGES

Post-It™ brand fax transmittal memo 7671		# of pages >
To	Al Beardslee	
Co.	Linda Hall	
Dept.	Assessors Office	
Fax #	Here you go!	

Oct-09-98 09:05A Koo 1st County Assessor 666 :82

P.02

AT8.1 118553 63N03W-26-7700 REAL REGULAR ROLL for 1998 09 OCT 199
 1203 26 S3N03W Code Area 156-000 09:28:5

BOHN, CARL R

BOX 121

ATHOL, ID 83801

E2-SE

Last Year's Market: \$115,018 LAND
 -96,961 EXEMPTIONS
 \$18,057 Total
 REVAL YEAR 199

NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market	Blt	Apprd	Init	Facto
05 DRY GRAZING	GG	18.028		25,960		0397	KDR	1.00
05 TIMBER-PROVDY	T2	10.000		14,400		0397	KDR	1.00
06 TIMBER-PROVDY	T3	49.700		74,658		0397	KDR	1.00
19 WASTE	WASTE	2.272						1.00
03 AG EXEMPTION	06			-22,445		0582		*
03 AG EXEMPTION	06			-73,482				*
		80.000	0.000	19,091				

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
MICA	452	29.04	64.500		
MICA FPA	482	3.24			

- END -

RECORD 117
 NOV 3 1998

ATS.1 124997 53N03W-25-8000
 1203 25 53N 03W
 BOHN, CARL R
 BOX 121
 ATHOL, ID 83801
 W2-SE

REAL REGULAR ROLL for 1998 09 OCT 1998
 Code Area 156-000 09:28:18

Last Year's Market: \$114,772 LAND
 -99,069 EXEMPTIONS
 \$15,703 Total
 REVAL YEAR 1998

NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market Blt	Apprd	Init	Facto
06 TIMBER-PROVDY	T3	79.710		114,772	0397	KOR	1.00
19 WASTE	WASTE	0.297					1.00
03 AG EXEMPTION	06			-97,634			
		80.007	0.000	17,138			

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
MICA	452	36.00	80.000		
MICA FPA	482	4.00			

- END -

10/09/98
 10:05:28 AM

AT8.1 127124 53N03W-25-5000 REAL REGULAR ROLL for 1998 09 OCT 199
 1203 25 53N 03W *CAMA* Code Area 166-000 09:28:5
 BOHN, CARL R
 BOX 121
 ATHOL, ID 83801
 SW EX E. 1072.5'

Last Year's Market: \$151,871 LAND
 2,390 IMPROVEMENTS
 -107,627 EXEMPTIONS
 \$46,634 Total
 REVAL YEAR 199

NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market	Blt	Apprd	Init	Facto
03 NON-IRRIG AG	F1NA	56.940		81,993		0397	KDR	1.00
06 TIMBER-PROVDTY	T2	20.630		29,707		0397	KDR	1.00
06 TIMBER-PROVDTY	T3	14.008		20,171		0397	KDR	1.00
10 HOMESITE	MSITE	1.000		20,000		0397	KDR	1.00
19 WASTE	WASTE	2.422						1.00
32 IMPROVMNT/CAT 1-9	S1			2,390		0397	KDR	1.00
93 AG EXEMPTION	03			-70,036		0582		
93 AG EXEMPTION	06			-36,778				
		95.000	0.000	47,447				

PERS/MOBILE ACCOUNTS: 101196

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
MICA	452	15.76	35.000		
MICA FPA	482	1.76			

- END -

10/12/1998
 10/12/1998

AT8.1 101356 53N03W-26-1800
 1203 *PRIME* 26 53N 03W
 PITMAN, WILLIAM ETUX TRUSTEES
 E 9700 BUNCO RD
 ATHOL, ID 83801
 NE; W2-SE

REAL REGULAR ROLL for 1998 OCT 1998
 Code Area 156-000 09:28:8

Last Year's Market: \$300,323 LAND
 -272,515 EXEMPTIONS
 \$27,808 Total
 REVAL YEAR 1998

PARENT: 03702199000000
 NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market Blt	Apprd	Init	Fact
07 TIMBER-BARE LAND	Y2	231.731		300,323	0397	KDR	1.00
10 WASTE	WASTE	8.269					
03 AG EXEMPTION	07			-270,893			
		240.000	0.000	29,430			

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
MICA	452	80.10	178.000		
MICA FPA	482	8.90			

- END -
 101356(P)

10/10/1998
 10:05:11 AM
 10/10/1998

AT8.1 102431 53N03W-25-4000 REAL REGULAR ROLL for 1998 09 OCT 1998
 1203 25 53N 03W *CAMA* Code Area 156-000 09:28:5
 PITMAN, WILLIAM ETUX TRUSTEES
 E 9700 BUNCO RD
 ATHOL. ID 83801

Service: 9700 E BUNCO RD 83901

Old:

SW-SW-NW

Last Year's Market: \$47,000 LAND
 111,771 IMPROVEMENTS
 -75,065 EXEMPTIONS
 \$83,706 Total
 REVAL YEAR 199

NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market	Blt	Apprd	Init	Factor
03 NON-IRRIG AG	F1NA	9.000		27,000		0397	KDR	1.00
10 HOMESITE	RSITE	1.000		20,000		0397	KDR	1.00
31 RES IMPROV/CAT 10	H1			104,232	81	0397	KDR	1.00
31 RES IMPROV/CAT 10	D1			3,399		0397	KDR	1.00
32 IMPROVMNT/CAT 1-9	S1			4,140		0397	KDR	1.00
90 HOMEOWNERS EXEMPT	31			-50,000		0682		1.00
93 AG EXEMPTION	03			-25,110		0682		
		10.000	0.000	83,661				

WASTE CODING: 1.00 RESIDENTIAL

PERS/MOBILE ACCOUNTS: 112035

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
WASTE DISPOSAL	457	80.00			

- END -

10/09/98
 10:09:40

AT8.1 107865 S3N03W-26-3200
 1203 25 S3N 03W
 PITMAN, WILLIAM ETUX TRUSTEES
 E 9700 BUNCO RD
 ATHOL, ID 83801
 NW EX SW-SW-NW

REAL REGULAR ROLL for 1998 09 OCT 1998
 Code Area 156-000 09:28:15

Last Year's Market: \$262,566 LAND
 -236,712 EXEMPTIONS
 \$25,854 Total
 REVAL YEAR 1998

NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market	Blt	Apprd	Init	Factor
03 NON-IRRIG AG	FINA	55.000		99,000		0397	EDS	1.00
05 DRY GRAZING	GH	25.000		45,000		0397	EDS	1.00
07 TIMBER-BARE LAND	Y2	65.870		118,566		0397	EDS	1.00
19 WASTE	WASTE	4.130						1.00
93 AG EXEMPTION	03			-87,450		0582		
93 AG EXEMPTION	07			-110,201				
93 AG EXEMPTION	05			-39,375				
		150.000	0.000	25,540				

SPECIAL ASSESSMENTS	Code	Amount	Acres	Amount	Acres
MICA	452	29.70	66.000		
MICA FPA	482	3.30			

END

AT8.1 108945 53N03W-33-5000 REAL REGULAR ROLL for 1998 09 OCT 1998
 1203 33 53N 03W *CAMA* Code Area 156-000 09:28:4
 RICKEL, ROBERT ETUX B L D G P R M T 07/28/
 PO BOX 319
 BAYVIEW, ID 83803

Service: 5404 E RICKEL RANCH RD 83801 Old:

Service: 5408 E RICKEL RANCH RD 83801 Old:

Service: 5412 E RICKEL RANCH RD 83801 Old:

ALL SEC E OF HWY 95 EX TX #, EX Last Year's Market: \$748,806 LAND
 R/W 313,010 IMPROVEMENTS
 -561,746 EXEMPTIONS
 \$500,070 Total
 REVAL YEAR 19

NOTICE DATE: 05-20-98

Category	Note	Acres	Front Ft	Market	Blt	Apprd	Init	Fact.
01 IRRIG AG	F1IB	30.000		49,680		0397	KDR	1.0
03 NON-IRRIG AG	F1NA	230.847		390,880		0397	KDR	1.0
05 DRY GRAZING	GH	14.400		23,846		0397	KDR	1.0
06 TIMBER-PROVDTY	T2	150.000		248,400		0397	KDR	1.0
10 HOMESITE	PSITE	6.000		46,000		0397	KDR	1.0
19 WASTE	WASTE	1.136						
31 RES IMPROV/CAT 10	H1			54,881	67	0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	S3			55,617		0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	B1			41,110		0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	S1			13,291		0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	H2			30,408	50	0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	H3			75,068	47	0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	B2			24,022		0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	S2			5,023		0397	KDR	1.0
32 IMPROVMNT/CAT 1-9	S3			5,470	97	0208	KDR	
32 IMPROVMNT/CAT 1-9	GPE1			20,332	97	0208	KDR	
03 AG EXEMPTION	03			332,402		0582		
03 AG EXEMPTION	05			20,606		0582		
03 AG EXEMPTION	01			20,680		0582		
03 AG EXEMPTION	06			175,050				
		432.383	0.000	520,989				

NOV 9 1998

T. 53A., R. 360

Rickel Transfer # _____

This aerial map represents property owned by William Pittman & Carl Bohn and will be the property which the water right is transferred to.

23 24
26 25 T552

56A
T6 27.9

24 25
26 30

73 ACRES
William Pitman's Property (B)

98.9 ACRES (A)
Carl Bohn's Property (C)

A-6
BOHN
4.6
4.2
13.0
11.8
9.4
2.9

2
1.0
Other

26 25
35 36

31

Rickel Transfer # _____

This aerial map represents property owned by William Pittman & Carl Bohn and will be the property which the water right is transferred to.

23 24
26 25 T552

56A
T6 27.9

24 25
26 30

73 ACRES
William Pittman's Property (B)

98.9 ACRES (A)
Carl Bohn's Property (C)

A-6
BOHN
4.6
4.2
13.0
11.8
9.4
2.9

2
7.0
Other

26 25
35 36

30
31

96-2023

State of Idaho

License and Certificate of Water Right

Water License No. 3767
Water District No. 94

Amount 16.95 sec. ft.
Priority 3-14-1917

THIS IS TO CERTIFY that Austin Corbin 2nd
of Spokane, Washington, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 25, 1908; that Permit No. 3767
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
16.95 second feet, was issued thereunder on January 20, 1923, showing that said works
were completed on the 3rd day of July, 1910; and that on the 6th
day of October, 1922,

Austin Corbin 2nd

of Spokane, State of Washington, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Sage Creek
, a tributary of , for the purpose of irrigation &
domestic use, under Use Permit No. 3767 of the State Engineer
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume 6 of Licenses, at page 3029, on the 20th day of January, 1923;

The right hereby confirmed dates from March 14, 1917;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 36, Tp. 53 N., R. 3 W., B. M.

County of Kootenai.
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 16.95 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			S $\frac{1}{2}$ of S $\frac{1}{2}$ of SE $\frac{1}{4}$ Sec. <u>20</u> , all Sec. <u>29</u> , E $\frac{1}{2}$ of E $\frac{1}{2}$ Sec. <u>32</u> ; all Sec. <u>33</u> ; W $\frac{1}{2}$ of W $\frac{1}{2}$ of Sec. <u>34</u> ; SE $\frac{1}{4}$, Sec. <u>30</u> , Twp. <u>53 N.</u> , R. <u>3 W.</u> , B. M. NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. <u>4</u> , T. <u>52 N.</u> , R. <u>3 W.</u> , B. M., making a total of approximately <u>1880</u> acres.		

The right to the use of the water aforesaid 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 Commissioner of Reclamation, affixed at Boise, Idaho,
this 20th day of January, 1923.

W. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

No. 5018.

96-2023

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Hon. James Stephenson, Jr.,
State Engineer,
Boise, Idaho.

Sir:--

The undersigned, Austin Corbin 2nd, of Spokane Washington, Respectfully represents and shows:

1. That on the 22nd day of August, 1898, R. C. Egbers located and claimed 5 cubic feet of water per second of the waters of Edwards Creek (sometimes called Sage Creek), in the County of Kootenai, State of Idaho, to be diverted from said stream at a point a few rods to the southwest of the southeast corner of the southwest quarter (SW $\frac{1}{4}$) of Section Twenty-Five (25), Township Fifty-three (53) North, Range Three (3) W. B. M., to be used for irrigation and domestic purposes on the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section Twenty-six (26), Township Fifty-three, (53) North, Range Three (3), W. B. M., and adjacent lands: the location notice of which water right is recorded in the office of the County Recorder of said Kootenai County in Book "A" of Water Rights on page 126.

2. That on the 23rd day of June, 1900, the said R. C. Egbers located and claimed a further water right on said Edwards Creek (otherwise known as Cedar Creek or Sage Creek), to the extent of 10 cubic feet of water per second of time, to be diverted from said stream at a point about 20 rods more or less southeast from the southwest corner of the Southeast quarter (SE $\frac{1}{4}$) of Section Twenty-five (25), Township Fifty-three (53) North, Range Three (3) W. B. M., to be used for domestic and irrigation purposes on the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-six (26), Township Fifty-three (53) North, Range Three (3) W. B. M., the location notice of which water right is recorded in the office of the County Recorder of said Kootenai County in Book "A" of Water Rights, on page 176.

3. That prior to the passage of the water right law of the State of Idaho, entitled "An Act to regulate the Appropriation and diversion of the Public Waters, and to Establish Rights to the Use of Such Waters, and the Priority of Such Rights", approved March 11th, 1903, the said Robert C. Egbers has fully constructed and completed his dam and ditches, and completely appropriated and was using the waters of said Edwards or Cedar or Sage Creek, under his said two locations, the water rights above mentioned, to the full amount claimed in said two locations of water right, and his right to said water had completely vested in him.

4. That on the 19th day of July, 1905, the State Engineer of Idaho granted to Robert C. Egbers of Kootenai County, Idaho, a permit, being numbered 1437, to divert and use 1.6 cubic feet of water per second from Cedar (Sometimes known as Edwards or Sage Creek, in

County of Kootenai, State of Idaho, to be diverted at a point about 20 rods, more or less, southwest from the southeast corner of the southwest quarter ($SW\frac{1}{4}$) of Section Twenty-five (25) Township (53) North, Range Three (3), W. B. M. to be used for irrigation and domestic purposes, on the West half of the Northeast Quarter ($W\frac{1}{2}$ of $NE\frac{1}{4}$ of Section Thirty-five (35), Township Fifty-three (53) North, Range Three (3) W. B. M. in said County; all of which will more fully appear by reference to the record of said permit in the office of said State Engineer.

That on the 28th day of September 1906 the said Robert C. Egbers and Rhoda M. Egbers, his wife duly sold and conveyed all of the said water rights and right to the use of said water evidenced by said locations of water right dated August 22nd, 1898 and June 23rd 1900 aforesaid and permit numbered 1437, together with the ditches or flumes by which said water is conveyed to M. D. Wright, excepting and reserving to the said Egbers and wife one-half cubic foot per second of said water mentioned in said permit numbered 1437 for use and irrigation on the said West half of the Northeast Quarter ($W\frac{1}{2}$ of $NE\frac{1}{4}$) of said Section Thirty-five (35); all of which more fully appears from the record of said conveyance in the office of the State Engineer to which reference is also made.

5. That on the 28th day of July 1906 the State Engineer of the State of Idaho granted to Edwin McBee of Rathdrum, Kootenai County, Idaho, a permit being numbered 2159, to divert and use 10 cubic feet of water per second of said Sage Creek, in the County of Kootenai, State of Idaho to be diverted at a point on said Creek in the Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section Thirty-six (36) Township Fifty-three (53) North, Range Three (3) W. B. M. in said Kootenai County to be used for irrigation upon Section Thirty-three (33) Thirty-two (32) and Thirty-one (31) in Township Fifty-three (53) North, Range Three (3) W. B. M., all of which will more fully appear by reference to the record of said permit in the office of the State Engineer at Boise, Idaho to which reference is hereby made.

That on the 17th day of May 1907 the said Edwin McBee duly sold and conveyed all of the said water right evidenced by said permit numbered 2159, to the said M. D. Wright which will more fully from the record of the record of said conveyance in the office of said State Engineer to which reference is also made.

6. That on the 5th day of May 1906 the State Engineer of the State of Idaho granted to S. E. Beggs of Rathdrum, Idaho a permit being numbered 1966 to divert and use 6.4 cubic feet per second of the water of said Cedar or Sage Creek, to be diverted at a point on said Creek in the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Thirty-six (36), Township Fifty-Three (53) North, Range Three (3) W. B. M. in said County of Kootenai, to be used for irrigation and domestic use on the West half ($W\frac{1}{2}$) of Section Twenty-six (26) Township Fifty-three (53) North, Range Three (3) W. B. M. all of which will more fully appear by reference to the record of said permit in the office of said State Engineer, to which reference is also made.

7. That on the 8th day of December, 1906 the State Engineer of the State of Idaho granted

to M. D. Wright a permit being numbered 2435, to divert and use 3.2 cubic feet of water per second of the waters of the said Cedar or Sage Creek, to be diverted at a point on said Creek in the Northeast Quarter of the Northwest Quarter ($NE\frac{1}{4}$ of $NW\frac{1}{4}$) of Section Thirty-six (36, Township Fifty-three (53) North, Range Three (3) W. B. M. to be used for irrigation and domestic purposes upon the Southeast Quarter ($SE\frac{1}{4}$) of Section Twenty-six (26), and the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-four (34), all in Township Fifty-three (53) North, Range Three (3), W. B. M. in said Kootenai County, Idaho; all of which will more fully appear by reference to the records of said permit in the office of said State Engineer, to which reference is hereby made.

8. That on the 21st day of May, 1907, the said M. D. Wright and S. E. Beggs duly sold and conveyed to your applicant Austin Corbin 2nd, all and singular the said several water rights to-wit:-- the said water right of 5 cubic feet of water per second located by the said R. C. Egbers on the 22nd day of August, 1898 and recorded in Book "A" of Water Rights of said County of Kootenai, on page 126 and the said water right of 10 cubic feet of water per second of the waters of said Creek, located by the said R. C. Egbers on the 23d day of June, 1900 and recorded in said book "A" of Water Rights on page 176; and the said water rights evidenced by said Permits Nos. 1437, 2159, 1966 and 2435, and also conveyed to your applicant all ditches, flumes and other appliances used to convey said waters, all of which will more fully appear by reference to the record of said deed from the said M. D. Wright and S. E. Beggs to your applicant, in the office of the said State Engineer aforesaid; excepting and reserving the said one-half cubic foot per second of time of the waters of said Creek, reserved to the said R. C. Egbers and wife out of said permit No. 1437, to be used upon the West half of the Northeast Quarter ($W\frac{1}{2}$ of $NE\frac{1}{4}$) of Section Thirty-five (35), Township Fifty-three (53) North, Range Three (3) W. B. M.

9. Your applicant further shows that by reason of the premises of said conveyance, your applicant has become and now is the owner of all and singular the said water rights and of the ditches used in connection therewith, subject to the said one half cubic foot per second of the waters of said Creek, reserved to the said Egbers and wife aforesaid.

10. Your applicant further shows that he desires to change the place of use of all of the said water evidenced by said several locations and permits, excepting the said one half cubic foot per second reserved to said Egbers and wife from the land described in said several locations and permits and to use the same for irrigation, domestic and manufacturing purposes upon the following described land situate in the said County of Kootenai, State of Idaho, to-wit; The South-east Quarter ($SE\frac{1}{4}$) of Section Twenty (20) the South half and the Northwest Quarter ($S\frac{1}{2}$ and $NW\frac{1}{4}$) of Section, (28) all of Section Twenty-nine (29), the South east Quarter ($SE\frac{1}{4}$) of Section Thirty (30); East half of Sections Thirty -two (32), all of Section Thirty-three (33) and the West half of the West half ($W\frac{1}{2}$ of $W\frac{1}{2}$) of Section Thirty-four (34) all in Township Fifty-three (53) North, Range Three (3) W. B. M. and the Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4}$ of the $NW\frac{1}{4}$) and lots one (1), two (2) and three (3) in Section Four (4),

Township Fifty-two (52) North, Range Three (3) W. B. M.

11. Your applicant further shows that he desires to consolidate all of the said water right into one water right and to that end he desires to divert all of said water from said stream at one certain point, to-wit: at a point on said stream which bears South 78° 47' East, 1808.4 feet from the corner common to Sections Twenty-five (25) Twenty-six (26), Thirty-five (35) and Thirty-six (36), Township Fifty-three (53) North of Range Three (3), W. B. M. And your applicant further shows that he intends to enlarge the ditch constructed by the said Robert C. Egbers from said point of diversion to the southeast quarter (SE $\frac{1}{4}$) of said Section Twenty-six (26) Township Fifty-three (53) North of Range Three (3) W. B. M. and also to enlarge the ditch constructed by S. E. Beggs and M. D. Wright, running westerwardly from said Egbers ditch through the South half (S $\frac{1}{2}$) of said Section Twenty-six (26) to the Southeast quarter (SE $\frac{1}{4}$) of Section Twenty-seven (27) in said Township Fifty-three (53) North of Range Three (3) W. B. M. in such a manner as to carry all of said water aforesaid; and that from said point, at or near the said west line of said Section Twenty-six (26), he will construct a pipe line, consisting of one or more twenty-four inch pipes, as may be necessary to carry all of said water to and upon said lands above described as the place of intended use in said book "A" of Water Rights on page 176; and the said water rights evidenced by said Permits Nos. 1437, 2159, 1966 and 2435, and also conveyed to your applicant all ditches, flumes and other appliances used to convey said waters, all of which will more fully appear by reference to the record of said deed from the said M. D. Wright and S. E. Beggs to your applicant, in the office of the said State Engineer aforesaid; excepting and reserving the said one-half cubic foot per second of time of the waters of said Creek, reserved to the said R. C. Egbers and wife out of said permit No. 1437, to be used upon the West half of the Northeast Quarter (W $\frac{1}{2}$ of NE $\frac{1}{4}$) of Section Thirty-five (35), Township Fifty-three (53) North, Range Three (3) W. B. M.

9. Your applicant further shows that by reason of the premises of said conveyance, your applicant has become and now is the owner of all and singular the said water rights and of the ditches used in connection therewith, subject to the said one half cubic foot per second of the waters of said Creek, reserved to the said Egbers and wife aforesaid.

10. Your applicant further shows that he desires to change the place of use of all of the said water evidenced by said several locations and permits, excepting the said one half cubic foot per second reserved to said Egbers and wife from the land described in said several locations and permits and to use the same for irrigation, domestic and manufacturing purposes upon the following described land situate in the said County of Kootenai, State of Idaho, to-wit; The South-east Quarter (SE $\frac{1}{4}$) of Section Twenty (20) the South half and the Northwest Quarter (S $\frac{1}{2}$ and NW $\frac{1}{4}$) of Section, (28) all of Section Twenty-nine (29), the South east Quarter (SE $\frac{1}{4}$) of Section Thirty (30); East half of Sections Thirty -two (32), all of Section Thirty-three (33) and the West half of the West half (W $\frac{1}{2}$ of W $\frac{1}{2}$) of Section Thirty-four (34) all in Township Fifty-three (53) North, Range Three (3) W. B. M. and the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of the NW $\frac{1}{4}$) and lots one (1), two (2) and three (3) in Section Four (4),

all of Section Thirty-Three (33); and the West half ($w\frac{1}{2}$) of the West half ($w\frac{1}{2}$) of Section Thirty-four (34) all in Township Fifty-three (53) North of Range Three (3) W. B. M., and the Southeast quarter ($SE\frac{1}{4}$) of the Northwest quarter ($NW\frac{1}{4}$) and lots One (1), Two (2) and Three (3) in Section Four (4), in Township Fifty-two (52) North, of Range Three (3), W. B. M.

That the right of your applicant to the said several amounts of water date from the time when said locations were made and permits granted as aforesaid.

DESCRIPTION OF WORKS OF DIVERSION.

A Dam at said point of diversion, which dam is to be four feet in height and twenty feet in length, same to be constructed with wood, earth and stone; a head gate four feet in height and six feet wide; a ditch to be constructed six feet wide on the bottom four feet deep and eighteen feet wide at the top, and extending from said dam through the Northwest quarter ($NW\frac{1}{4}$) of Section Thirty-six (36), the Southwest quarter ($SW\frac{1}{4}$) of Section Twenty-five (25), the South half ($s\frac{1}{2}$) of Section Twenty-six (26) and part way through the South half ($S\frac{1}{2}$) of Section Twenty-seven (27) in Township Fifty-three (53) North, of Range Three (3) W. B. M. And that from the end of said ditch, leading in a westerly and northerly direction to the center of Section Twenty-nine (29) in said Township and Range, one or more pipe lines, consisting of pipe twenty-four inches in diameter, will be constructed; and from said main pipes, various lateral pipe lines and ditches will be constructed as may be necessary to irrigate said land, all of which will more fully appear by reference to the accompanying plan or map in duplicate, which is made a part of this application. It being the intention to enlarge the present ditches made by the said Robert C. Egbers, S. E. Beggs and M. B. Wright to the size above specified, it being the intention to deliver to the said Robert C. Egbers the said one-half cubic foot of water per second reserved to him as aforesaid from said enlarged ditch.

The time required for the completion of the construction of said work is two years.

The time required for the complete application of the water to the proposed use is three additional years.

REMARKS.

Besides the construction of the said dam this enterprise involves the construction of one and three quarters miles of ditch, six feet wide at the bottom four feet deep, and eighteen feet wide at the top; two and three quarters miles of twenty-four inch pipe, and two miles of sixteen inch pipe, besides a large amount of smaller pipe and ditch laterals.

About five hundred acres of the said land proposed to be irrigated is covered with timber and must be cleared before a complete application of the water thereto.

The financial resources of this applicant are, money, lands and personal property to the value of at least one hundred & fifty thousand dollars.

The estimated cost of said works is Forty thousand Dollars.

That no part of said water will be returned to said stream, for the reason that it can not be as said stream entirely sinks at a higher elevation than the place of use of said water.

That the total acreage to be irrigated and reclaimed by said water is 2720 acres.

Dated this 21st. day of March, 1908.

Austin Corbin 2d.

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3767.

The date of first receipt of application 10.45 a.m. March 25, 1908.

Returned to applicant for correction April 24, 1908.

Corrected application received June 22, 1908.

Recorded in Book 10 Page 3768 Approved July 3, 1908.

This is to certify that I have examined the within application for a change in the place of user and the point of diversion of the waters of Cedar or Sage Creek, and to appropriate additional waters of said creek, being of the public waters of the State of Idaho, and I hereby grant the same, subject to the following limitations and conditions:

Good and sufficient bond to be filed in the sum of \$1,000.00 on or before September 1, 1908.

One-fifth of the work above specified to be completed on or before July 3, 1909.

The whole of said work to be completed on or before July 3, 1910.

The time for proof of beneficial use of water appropriated in accordance herewith to extend to July 3, 1913.

Witness my hand this third day of July , 1908.

Jas. Stephenson, Jr.,
State Engineer.

THIS INDEUTNRE Made this 10th day of July, 1908 between AUSTIN CORBIN, 2nd,
of the City and County of Spokane, State of Washington, party of the first part and
WASHINGTON STATE SUGAR COMPANY, a corporation organized under the laws of the State of
Washington and having complied with the laws of the State of Idaho authorizing it to transact
business and hold property in the State of Idaho, party of the second part, WITNESSETH:

That the party of the first part, for and in consideration of the sum of One
(\$1.00) Dollar and other valuable considerations to him in hand paid by the party of the
second part the receipt whereof is hereby acknowledged does grant, bargain, sell and convey
unto the party of the second part all of the following described lands and water rights
situate in the County of Kootenai and State of Idaho, to-wit:-

The South east quarter ($SE\frac{1}{4}$) of Section twenty (20) all of section Twenty-nine
(29) excepting therefrom the Right of Way of the Northern Pacific Railway, the South east
quarter ($SE\frac{1}{4}$) of section Thirty (30), the East one-half ($E\frac{1}{2}$) of the East one-half ($E\frac{1}{2}$)
of Section Thirty-two (32), excepting therefrom the Right of Way of the Spokane International
Railway Company, all of Section Thirty-three (33), excepting therefrom the right of way of
the Spokane International Railway Company and the West one-half ($W\frac{1}{2}$) of the West one-half ($W\frac{1}{2}$)
of Section Thirty-four (34) all in Township Fifty-three (53), North Range Three (3) W.B.M.,
and the Southeast quarter ($SE\frac{1}{4}$) of the North West quarter ($NW\frac{1}{4}$) and Lots One (1), Two (2),
and Three (3) in Section Four (4) Township Fifty-two (52) North Range Three (3) W.B.M.

Also all of those certain water rights on Sage Creek in the County of Kootenai,
State of Idaho described and evidenced by Permit No. 3767 issued by the State Engineer of
the State of Idaho, approved July 3rd, 1908 and recorded in Book Ten (10) of Permits in the
office of the State Engineer of Idaho on Page 3767.

Also all dams, canals, ditches and pipe lines, and lateral ditches and pipe lines
constructed by the party of the first part in connection with the said water rights, and the
conveying of said waters from the point of diversion described in said permit to the lands
therein described to be irrigated and the distribution of the water over said lands, together
with all rights of way now owned by the party of the first part on said Sage Creek and upon
which said dam, canal, and pipe line is constructed.

TO HAVE AND TO HOLD ALL AND SINGULAR the above lands and water rights, dams, canals,
ditches and pipe lines together with the appurtenances thereto belonging unto the party of the
second part its successors and assigns forever.

IN WITNESS WHEREOF the said party of the first part has hereunto set hid hand the
day and year first above written.

Austin Corbin, 2d..

Signed, Sealed and Delivered
in the Presence of
Albert Allen

STATE OF WASHINGTON)
County of Spokane) SS

On this 10th day of July, 1908 before me, E. D. Allen, a Notary Public in and for
the said County and State, personally appeared AUSTIN CORBIN 2nd, known to me to be the person

whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate above written.

F. D. Allen,

Notary Public in and for the State
of Washington, Residing at Spokane.

(SEAL)

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 11.00 A. M., July 2, 1910.

D. G. Martin,

State Engineer.

WARRANTY DEED & BILL OF SALE

The Grantor, Washington State Sugar Company, a corporation, for and in consideration of One (\$1.00) Dollar, and other valuable consideration to it in hand paid, sells, assigns, conveys and warrants unto AUSTIN CORBIN, Second, of Spokane, Washington, the following described personal property and real estate situate in Kootenai County, Idaho, to-wit:

Southeast quarter of Section 20,	Twp. 53 N.,	R. 3 W.,	B. M.
Southeast quarter of Section 30,	" " "	" " "	" " "
All of " 29,	" " "	" " "	" " "
less railroad right of way;			
East half of East half " 32,	" " "	" " "	" " "
less railroad right of way			
All of " 33,	" " "	" " "	" " "
less railroad right of way;			
West half of West half Sec. 34,	" " "	" " "	" " "
less railroad right of way;			
Lots One, Two & Three Sec. 4,	" 52 "	" " "	" " "
Southeast quarter of			
Northwest quarter of Sec. 4,	" 52 "	" " "	" " "

Also the following water rights, to-wit:

Sage and Lewellen Creek water rights:

Also all other property of any kind, character or description owned by the grantor in Kootenai County, Idaho, including all rights of way appurtenant to any water right and including all personal property situate upon any of the real estate, rights of way or easements which may be owned by the grantor in said Kootenai County, Idaho.

It being the intention of the grantor by this deed to convey to the grantee all and singular all its real and personal property situated in Kootenai County, Idaho.

IN WITNESS WHEREOF, the Washington State Sugar Company, a corporation, has by its proper officers caused its corporate name to be signed hereto and its corporate seal to be affixed hereto this 6th day of March, 1917.

WASHINGTON STATE SUGAR COMPANY,

By D. C. Corbin
President.

(SEAL)

Attest: A. T. Herrick
Secretary.

STATE OF WASHINGTON,)
(ss.
County of Spokane,)

On this 6th day of March, 1917, before me, W. A. Brown, a Notary Public in and for the State of Washington, personally appeared D. C. Corbin, known to me to be the President and A. T. Herrick, known to me to be the Secretary of the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.
W. A. Brown, Notary Public for Washington
residing at Spokane, Wash.

(SEAL)

Received and filed for record in the Department of Reclamation
at Boise, Idaho, at 9:00 A. M. April 17, 1922.

W. G. Swendsen,
Commissioner of Reclamation.

Proof of completion of works made October 6, 1922.
Certificate of completion of works issued January 20, 1923.

Permit No. 3767

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Austin Corbin, 2nd of Spokane, County of Spokane, and State of Washington, the holder of Permit No. 3767, issued upon Application No. 5018, bearing date of priority of March 25, 1908, authorizing the diversion of 16.95 second feet of the waters of Sage Creek, County of Kootenai, State of Idaho, for irrigation and 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 16.95 second feet of the waters of Sage Creek; that the point of diversion of said waters is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 53 North, Range 3 West, Boise Meridian and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 20; all Sec. 29, E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 32; all Sec. 33; W $\frac{1}{2}$ W $\frac{1}{2}$ Sec. 34; SE $\frac{1}{4}$ Sec. 30, all in Township 53 North, Range 3 West Boise Meridian; NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4, Township 52 North, Range 3 West, Boise Meridian.

Witness my hand this 20th day of January, A. D. 1923.

W. G. SWENDSEN,
Commissioner of Reclamation

LICENSE ISSUED FOR 16.95 SECOND FEET

Page 3029



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 2, 2004

KATHY EVANS
KENNY KEITH
E 7184 BUNCO RD
ATHOL ID 83801

RE: Application for Transfer No. 70231

Dear Applicants:

The Department of Water Resources (IDWR) is reviewing transfer application no. 70231 in which you propose to move a portion of Water Right 96-2023C to land you own in Section 34 of T53N, R3W, B.M. Before the transfer application can be processed further, however, IDWR needs additional information about a number of items in your application.

According to §42-222, *Idaho Code*, IDWR must ensure that a transfer “does not constitute an enlargement in use of the original right.” Your transfer application appears to propose an enlargement of the right in two ways. First, your application proposes to add stockwater, wildlife, fire protection, and ground water recharge uses to the existing irrigation use without reducing the authorized rate of diversion for irrigation purposes. While your transfer proposes to reduce the irrigated place of use by nine acres, it still requests the entire authorized rate of diversion of 0.56 cfs for irrigation purposes. All or part of a water right can be changed to another use only by reducing the original use by the amount required for the additional use. For example, to obtain your stockwater and wildlife uses at 0.04 cfs each, as you have proposed, the irrigation use should be diminished by 0.08 cfs. The same holds true for the fire protection and groundwater recharge uses you have proposed.¹ Please address this issue by indicating to IDWR in a notarized letter whether you wish to reduce your proposed irrigation use or remove some or all of the additional water uses proposed in the transfer application.

The second way that your transfer application proposes an enlargement is by requesting a year-round season of use for the non-irrigation uses. Use of the right for irrigation purposes is currently limited to the standard irrigation season of March 15 through November 15. For surface water rights, this kind of change is typically considered an enlargement when there are junior priority water rights that rely on the surface water during the time period outside the historic period of use for the right proposed to be changed. According to the water right records maintained by IDWR, there are numerous junior domestic and stockwater rights diverted from

¹ Under the provisions of §42-201(3), *Idaho Code*, it is not necessary to have a water right to divert and use water to extinguish an existing fire. Therefore, you might consider preserving some of the irrigation use under Right 96-2023C by removing the fire protection use from your transfer application.

Kathy Evans and Kenny Keith
January 2, 2004
Page 2

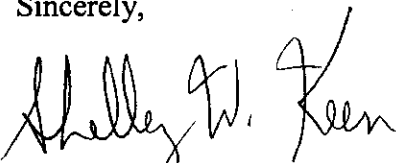
Sage Creek. Therefore, to change the season of use for your right, you must provide information to show that the change will not cause injury to the holders of junior water rights.

One of the water uses proposed on your transfer application is ground water recharge. So that IDWR can be sure that the proposed use is in the local public interest and is consistent with the conservation of water resources within the State of Idaho, as directed by §42-222, *Idaho Code*, please provide information about the aquifer that will be recharged, who will benefit from the recharge, and the method of recharge.

Finally, please note that one of the conditions listed on Water Right 96-2023C says, "The portion of Right 96-02023C used for conveyance losses is 0.37 cfs." Conveyance losses occur when water seeps or leaks from a ditch as it traverses the distance from the point of diversion to the place of use. Because 0.37 cfs is required simply to convey water down the ditch, that amount may be shown as part of your authorized diversion but may not actually be available for the water uses proposed in your transfer application by the time the water reaches your property.

Please provide the additional information requested above within 30 days. Additional time may be granted by the IDWR if you submit a written request and sufficient justification for an extension. If IDWR does not receive the additional information from you within 30 days, the agency will issue a preliminary order to reject or deny your transfer application. If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" being clearly legible.

Shelley W. Keen
Water Rights Supervisor

cc: IDWR Northern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 2, 2004

PATRICK M MC TAGGERT
PO BOX 2607
HAYDEN ID 83835

RE: Application for Transfer No. 70294

Dear Applicants:

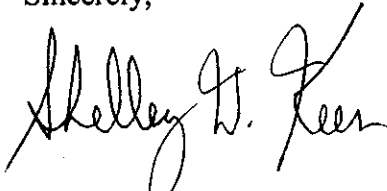
The Department of Water Resources (IDWR) is reviewing transfer application no. 70294 in which you propose to move a portion of Water Right 96-2023C to land you own in Section 34 of T53N, R3W, B.M. Before the transfer application can be processed further, however, IDWR needs additional information about or take note of a number of items in your application.

1. IDWR must confirm that a transfer applicant has authority to move the water right to the new place of use proposed in the application. Please provide a warranty deed or other documentation showing your interest in the land to which you propose to move this water right.
2. According to §42-222, *Idaho Code*, IDWR must ensure that a transfer "does not constitute an enlargement in use of the original right." Your application proposes to add several additional uses, including stockwater storage, wildlife storage, fire protection storage, and ground water recharge, to the existing irrigation use without reducing the authorized rate of diversion for irrigation purposes. While your transfer proposes to reduce the irrigated place of use by four acres, it still requests the entire authorized rate of diversion of 0.18 cfs for irrigation purposes. To prevent enlargement of the right, all or part of a water right can be changed to another use only by reducing the original use by the amount required for the additional use. Please address this issue by indicating to IDWR in a notarized letter whether you wish to reduce your proposed irrigation use or remove some or all of the additional water uses proposed in the transfer application.
3. For IDWR to ensure that you are proposing to "dry up" a sufficient number of acres to account for the new uses, you must provide sufficient data and information to determine the historic consumptive water use for the water right. This requirement can be satisfied by submitting records of cropping pattern or rotation, or records of water diverted and system efficiency, for at least the most recent five-year period.

4. To divert water to an offstream reservoir, as suggested by the storage uses you have proposed, you must indicate a "diversion to storage" rate, and your irrigation use must be reduced by that amount. When proposing storage uses, you must also account for more than the mere size of your proposed reservoir. If you intend to keep the reservoir full, then the amount of water described for storage purposes must include the amount necessary to refill the reservoir when water is lost due to seepage, evaporation, and use. You can avoid another enlargement issue by limiting your "diversion to storage" use to the irrigation season.
5. One of the water uses proposed on your transfer application is ground water recharge. So that IDWR can be sure that the proposed use is in the local public interest and is consistent with the conservation of water resources within the State of Idaho, please provide information about the aquifer that will be recharged, who will benefit from the recharge, and the method of recharge.
6. Finally, please note that one of the conditions listed on Water Right 96-2023C says, "The portion of Right 96-02023C used for conveyance losses is 0.37 cfs." Conveyance losses occur when water seeps or leaks from a ditch as it traverses the distance from the point of diversion to the place of use. Because 0.37 cfs is required simply to convey water down the ditch, that amount may be shown as part of your authorized diversion but may not actually be available for the water uses proposed in your transfer application by the time the water reaches your property.

Please provide the additional information requested above within 30 days. Additional time may be granted by the IDWR if you submit a written request and sufficient justification for an extension. If IDWR does not receive the additional information from you within 30 days, the agency will issue a preliminary order to reject or deny your transfer application. If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

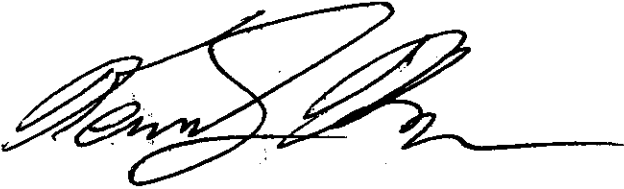
cc: IDWR Northern Region

Transfer No 70294
ORIGINAL WR 96-02023C

Jan. 1, 2003

I Kenny L. Keith sell Patrick M. McTaggart
13ft. acres of water, ^{1/3 of 96-2023C} from the Robert Rickel
Ranch and easement, to his property for
\$2,000.00, 1/4 of the \$7,500.00 + \$500.00
interest as per agreement with Robert Rickel.

Kenny L. Keith



Patrick M. McTaggart



Dec 4, 2002

Rickel Water agreement with Ken Keith:

#96-02023C
Pertains to the sale of a water right from Sage Creek. It transfers all remaining water rights to Ken Keith for the sum of seventy five hundred dollars (\$7500.00) plus five hundred dollars (\$500.00) interest. Payable in monthly installments of four hundred dollars (\$400.00) per month for 20 consecutive months.

All easements pertaining to the water and land access will also transfer to the new owner when the agreement is fully paid. There will be additional paper work from Water Resources pertaining to this transaction.

Payments to start January 2003.

Robert Rickel
Ken Keith



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

December 10, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PATRICK M MC TAGGERT
PO BOX 2607
HAYDEN ID 83835

RE: Application for Transfer No 70294
Water Right No(s) 96-2023C

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on December 19 and 26, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Preliminary review of the application indicates that additional information is required. We will need a copy of the **contract of sale** transferring the property to you. Please submit this information within 30 days of the date of this letter. The Department cannot complete the processing of this application until the requested information is submitted.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

A handwritten signature in cursive script that reads 'Allen Beardslee'.

Allen Beardslee
Senior Water Resource Agent

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Miste Flood being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The legal notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 19 day of December, 20 02, and ending on the 26 day of December, 20 02, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

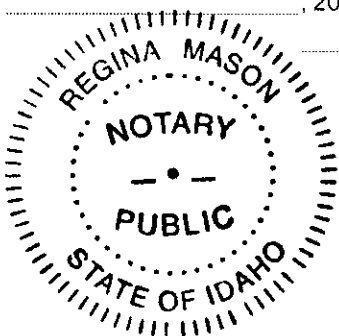
Miste Flood

Personally appeared before me this 26 day of December, 20 02

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/03



NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 70294

PATRICK M. MC TAGGERT

PO BOX 2807

HAYDEN ID 83835, has filed Application No. 70294 for changes to the following water rights within KOOTENAI County:

Right No. 96-2023C

Priority 3/14/1917

Source SAGE CREEK

Use IRRIGATION (52 acres)

0.74 CFS

156.0 AFA

Total Amount

0.74 CFS

156.0 AFA

Point(s) of Diversion S36 T53N R03W

Place of Use S33 T53N R03W

The purpose of the transfer is to change a portion of the above rights from Irrigation use only to multiple uses as follows, and to change the place of use as follows, with the original 0.74 cfs diversion rate being split one quarter to McTaggart and three quarters to Evans/Keith.

IRRIGATION (10 acres)

0.18 CFS

39.0 AFA

OTHER USES INCLUDE STORAGE FOR IRRIGATION, IRRIGATION FROM STORAGE, WILDLIFE STORAGE, STOCKWATER STORAGE, FIRE PROTECTION STORAGE, and GROUND WATER RECHARGE.

Total Amount

0.18 CFS

39.0 AFA

Place of Use S34 T53N R03W

Remark: Stockwater use is for 20 head of mixed stock

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code

Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before January 06, 2003. The protestant must also send a copy of the protest to the applicant.

Legal 2249

December 19, 26, 2002

KARL J. DREHER, Director

RECEIVED

DEC 31 2002

IDWR/North

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 70294

PATRICK M. MC TAGGERT
PO BOX 2607

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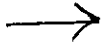
KARL J DREHER, Director

Published on December 19 and 26, 2002.



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454



To: MISTY FLOOD
LEGAL NOTICES
COEUR D'ALENE PRESS

12/10/02

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

From: DIANNE BALL
ADMINISTRATIVE ASSISTANT
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste 210
Coeur d'Alene, ID 83814

2 pages

Misty, this page replaces the **NOTICE OF PROPOSED CHANGE OF WATER RIGHT
for TRANSFER NO. 70294**

There was an error on the original sheet faxed to you at the end of the line that began:

"The purpose of the transfer is to change a portion"...ending "Irrigation use only tomultiple

Thanks for replacing this page and pitching the other one into "file 13", [the round or
square or rectangular shaped one under your desk].

If you have ANY questions, please give me a call.

Thanks very much, and have a wonderful day.

Dianne

Dianne



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 10, 2002

MISTI FLOOD
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTI FLOOD at 664-0212 ✓
2 PAGES INCLUDING LETTER

Please call to confirm receipt and also
Please fax a copy of proof prior to
publication
THANKS VERY MUCH!

RE: Transfer No. 70294
Water Right No(s). 96-2023C

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 01/06/2003. Your cooperation is greatly appreciated.

Thanks D & C

Sincerely

Dianne

Dianne Ball
Administrative Assistant



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 10, 2002

PATRICK M MC TAGGERT
PO BOX 2607
HAYDEN ID 83835

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Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Curtis, Sharla

From: Beardslee, Allen
Sent: Thursday, June 12, 2003 10:56 AM
To: Curtis, Sharla
Subject: RE: A little bit of everything

I passed the Jacklin Seed Co. one off to Bob, as he has been working with those guys.

Got a call into my Fish and Game contact in Lewiston regarding the Trainor App. I think they are happy now, but we better check to make sure. He won't be in until next week, though

Regarding 96-2032C, the "Groundwater Recharge" is incidental to the irrigation use, however, both applicants felt it was important to have this use listed on their Transfers. Can we further explain it just as above "Groundwater Recharge is incidental to the irrigation use? I'm sorry Sharla, but I forgot about discussing the conveyance losses with you before. *I'm going to have to ask for a reminder on that one...(Must be age related)!

How'bout you fax me a copy of the Fish and Wildlife Application. Unless you think there is other information that would help having back here at the Region. I'll let you decide.

-----Original Message-----

From: Curtis, Sharla
Sent: Thursday, June 12, 2003 8:19 AM
To: Beardslee, Allen
Subject: A little bit of everything

I'm trying to clean out my call-up drawer and clean off my desk and I have several loose ends for various Northern Region files.

First, I still need a PWS number for 95-8572 (license to be issued to Jacklin Seed Co.) and I need to know if you're ready for me to proceed with getting the licensing amendment. The last time we talked about this one, you said there was still some question about the rate. Did you get that resolved?

Next, do you have any feedback for me on the ground water recharge and conveyance loss issues for the two transfers on 96-2032C? If you need me to send a copy of my original mail message for your review, just let me know.

Have you heard anything back from Russell Trainor (app 81-11887)? That's the one where Fish and Game had concerns that needed to be addressed and I think you put the ball back in Mr. Trainor's court to work out the details with F&G. Is everything between the parties just "peachy" now?

Have you asked the Fish & Wildlife Service for Rule 40.05 "large diversion" info for app 98-7813? Do you need the paper file back?

I'm sorry for hitting you with all of this at once, but whenever you get a chance to work on an item or two, just let me know. Thanks for your help with this stuff Al. I really appreciate it.

Hope you're having a great week! Talk to you soon!!!

* spoke w/ Al about the conveyance loss issue.
He informed me that the right holders
are aware that half is what they get because
of conveyance loss.

Curtis, Sharla

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To: Curtis, Sharla
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Hope you're having a great week! Talk to you soon!!!

RECEIVED

FEB 4 - 2003

Department of Water Resources

Transfer No 70294

ORIGINAL WR 96-03023C

Jan. 1, 2003

I Kenny L. Keith sell Patrick M. McTaggart

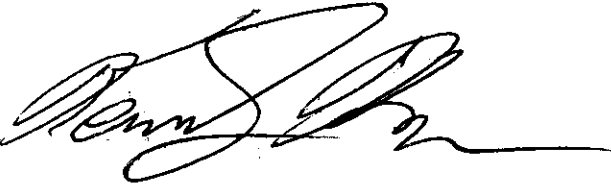
1/3 of 1/4 of 2023C
13ft. acres of water, from the Robert Rickel

Ranch and easement, to his property for

\$2,000.00, 1/4 of the \$7,500.00 + \$500.00

interest as per agreement with Robert Rickel.

Kenny L. Keith,



Patrick M. McTaggart



Dec 4, 2002

Rickel Water agreement with Ken Keith:

^{#96-02023C}
Pertains to the sale of a water right from Sage Creek. It transfers all remaining water rights to Ken Keith for the sum of seventy five hundred dollars (\$7500.00) plus five hundred dollars (\$500.00) interest. Payable in monthly installments of four hundred dollars (\$400.00) per month for 20 consecutive months.

All easements pertaining to the water and land access will also transfer to the new owner when the agreement is fully paid. There will be additional paper work from Water Resources pertaining to this transaction.

Payments to start January 2003.

Robert Rickel
Ken Keith

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,
County of Kootenai,

} ss.

NOV 15 2002

IDWR/North

Misti Flood

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *legal notice*

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *7* day of *November* 20 *02*, and ending on the *14* day of *November* 20 *02*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Misti Flood

Personally appeared before me this *14* day of *November* 20 *02*.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/03

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70231

KATHY EVANS and/or KENNY KEITH, E 7184 BUNCO RD, ATHOL ID 83801, has filed Application No. 70231 for changes to the following water rights within KOOTENAI County:

Right No. 96-2023C

Priority 3/14/1917

Source SAGE CREEK

Use IRRIGATION (52 acres) 0.74 CFS 156.0 AFA

Point(s) of Diversion S36 T53N R03W

Place of Use S33 T53N R03W

The purpose of the transfer is to change a portion of the above rights from Irrigation use only to multiple uses as follows, and to change the place of use as follows, with the original 0.74 cfs diversion rate being split three quarters to Evans/Keith, and one quarter to McTaggart.

IRRIGATION (30 acres) 0.56 CFS 117.0 AFA

OTHER USES INCLUDE WILDLIFE, STOCKWATER, FIRE PROTECTION and

GROUND WATER RECHARGE.

TOTAL AMOUNT 0.56 CFS...1 17.0 AFA

Place of Use S34 T53N R03W

Remark: Stockwater use is for 15 head of mixed stock.

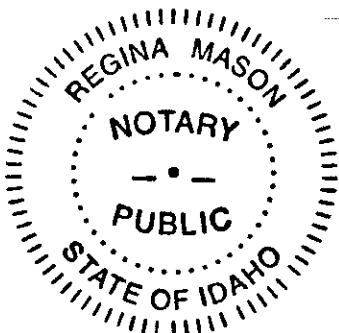
Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before November 25, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 2047

Nov. 7, 14, 2002



Advertising Receipt

Coeur d'Alene Press
P.O. Box 7000
Coeur d'Alene, ID 83816
Phone: (208) 664-8176
Fax: (208) 664-0212

RECEIVED
NOV 15 2002
IDWR/North

LEGAL-61623
IDAHO DEPT OF WATER RESOURCES-CDA
1910 NORTHWEST BLVD
STE 210
COEUR D ALENE, ID 83814

Customer #: 01109281-000
Ad #: 08501880
Job #: 08501880
Phone:
Date: 11/14/02
Description: LGL2047 NTC

Run Date	Insertion Number	Sales Person	Description	Ad Type	Size	Rate Code	Total Cost
11/14/02	08501881	2	07 LEGALS	LE	0.00 x 0.00	UL	105.84

Total: 105.84

Tax: 0.00

Prepayment: 0.00

Total Due 105.84

file (ob)
ok to pay

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 70231

KATHY EVANS and/or KENNY KEITH, E 7184 BUNCO RD, ATHOL ID 83801, has filed Application No. 70231 for changes to the following water rights within KOOTENAI County:

Right No. 96-2023C

Priority 3/14/1917

Source SAGE CREEK

Use IRRIGATION (52 acres) 0.74 CFS 156.0 AFA

Point(s) of Diversion S36 T53N R03W

Place of Use S33 T53N R03W

The purpose of the transfer is to change a portion of the above rights from Irrigation use only to multiple uses as follows, and to change the place of use as follows, with the original 0.74 cfs diversion rate being split three quarters to Evans/Keith, and one quarter to McTaggart.

IRRIGATION (30 acres) 0.56 CFS 117.0 AFA

OTHER USES INCLUDE WILDLIFE, STOCKWATER, FIRE PROTECTION, and
GROUND WATER RECHARGE.

TOTAL AMOUNT 0.56 CFS...117.0 AFA

Place of Use S34 T53N R03W

Remark: Stockwater use is for 15 head of mixed stock.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before November 25, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published in Coeur d'Alene Press on November 7 and 14, 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 30, 2002

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTI FLOOD AT 664-0212

TOTAL OF 2 PAGES

**Please call to confirm receipt and
(please FAX proof prior to publication)
THANKS!!**

RE: Transfer No. 70231
Water Right No(s). 96-2023C

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 11/25/2002. Your cooperation is greatly appreciated, as always.

Thanks to ☺

Sincerely

Dianne

Dianne Ball
Administrative Assistant



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 30, 2002

KATHY EVANS
KENNY KEITH
E 7184 BUNC0 RD
ATHOL ID 83801

RE: Application for **Transfer No 70231**
Water Right No(s) 96-2023C

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on November 7 and 14, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Allen Beardslee
Senior Water Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 15, 1998

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GOVERNOR

KARL J. DREHER
DIRECTOR

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BOX 121
ATHOL ID 83801

WILLIAM PITMAN
E 9700 BUNCO RD
ATHOL ID 83801

ROBERT H RICKEL
PO BOX 319
BAYVIEW ID 83803

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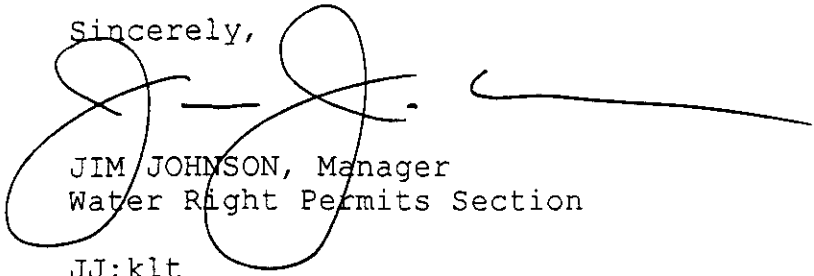
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MICROFILMED

NOV 09 1998

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

MICROFILMED

NOV 09 1996

CERTIFICATE OF MAILING

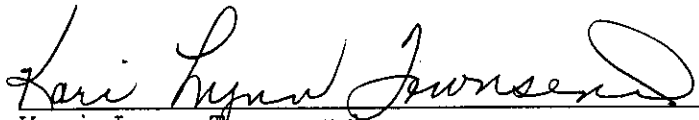
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WILLIAM PITMAN
E 9700 BUNCO RD
ATHOL ID 83801

ROBERT H RICKEL
PO BOX 319
BAYVIEW ID 83803


Kari Lynn Townsend
Secretary

INCORPORATED

NOV 19 1998

MEMORANDUM

TO: File 96-02023

FROM: Pam Skaggs/ State Office

SUBJECT: Transfer 5311

DATE: October 13, 1998

Transfer 5311 changes and splits by ownership of the remaining portion of Right 96-02023, splitting the right into Parts A, B and C. The current right holder, Mr. Rickel, is selling portions of the right to Mr. Bohn and Mr. Pitman.

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Season of use and diversion volume were adjusted to current standards. Recommended conditions include future measuring & annual reporting, irrigation overlap, forfeited portion, conveyance losses, right-of-way and standard transfer conditions.

MICROFILMED

NOV 09 1998

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Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 15, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARL BOHN
BOX 121
ATHOL ID 83801

WILLIAM PITMAN
E 9700 BUNCO RD
ATHOL ID 83801

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PO BOX 319
BAYVIEW ID 83803

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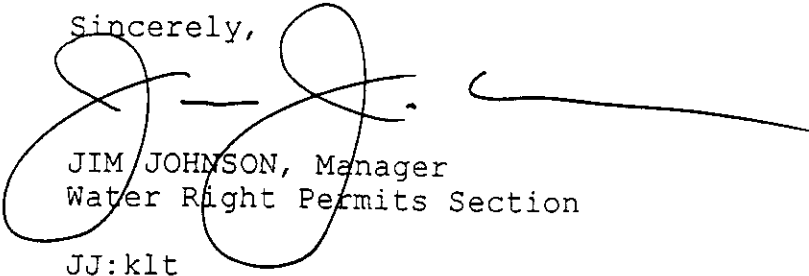
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MICROFILMED

NOV 3 4 1998

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Sincerely,



JIM JOHNSON, Manager
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JJ:klt
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MICROFILMED

NOV 09 1998

CERTIFICATE OF MAILING

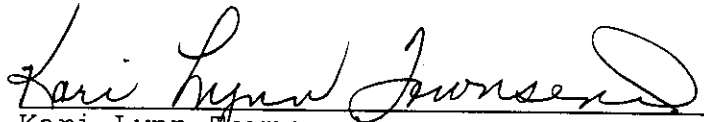
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Kari Lynn Townsend
Secretary

MICROFILMED

NOV 29 1998

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MICROFILMED
NOV 09 1998

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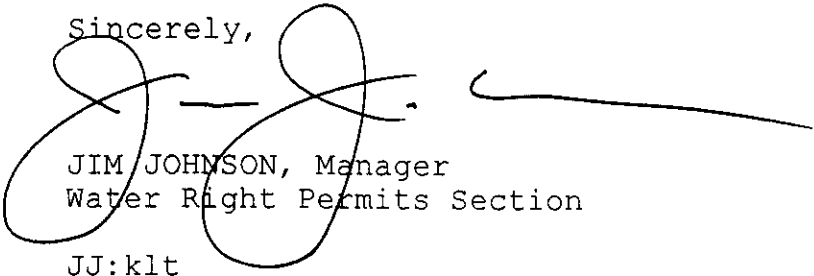
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MICROFILMED

NOV 09 1998

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JJ:klt
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MICROFILMED
NOV 09 1998

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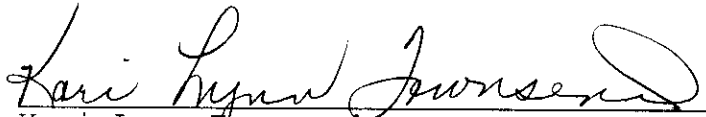
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MICROFILMED

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MICROFILMED

NOV 09 1998

MEMORANDUM

TO: File 96-02023

FROM: Pam Skaggs  State Office

SUBJECT: Transfer 5311

DATE: October 13, 1998

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MICROFILMED
NOV 09 1998

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

ss.

STACIE WALKER

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

LEGAL NOTICE

of which the annexed is a printed copy, was published in the regular *THURSDAY* issue of said newspaper for *2* consecutive *WEEKS* commencing on the *3* day of *SEPTEMBER*, 19*98*, and ending on the *10* day of *SEPTEMBER*, 19*98*, and such publication was made as often during said period as said *DAILY* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this *10* day of *SEPTEMBER*, 19*98*.

Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES *6/18/03*

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT THE PROPOSED CHANGE
OF WATER RIGHT NO. 96-02023,
TRANSFER NO. 5311 in the name of
ROBERT H RICKEL, whose address is
PO BOX 319, BAYVIEW, ID 83803, was
incorrectly advertised on August 20 and
27, 1998.

The names on the parcels listed
under the Place of Use following the
transfer, were incorrectly reversed.
Correctly, the Place of Use following
transfer should read as follows:

**FOLLOWING TRANSFER,
WATER RIGHT TO BE CHANGED
AS FOLLOWS:**

Place of use:

T53N R03W Sec 25: NWNW,
SWNW SENW all in Kootenai
County, for a total of 73 acres to
William Pittman with a total
diversion rate of 1.94 CFS;

T53N R03W Sec 25: NESW,
NWSW, SWSW, SESE, and T53N
R03W Sec 26: SESE all in Kootenai
County, for a total of 92 acres
to Carl Bohn with a total diver-
sion rate of 2.13 CFS;

Remaining 52 acres in T53N
R03W Sec 36: NENE, NWNE,
SWNE all in Kootenai County, for
a total of 52 acres, to be retained
by Robert Rickel, with a total
diversion rate of 0.74 CFS.

(For additional information concern-
ing the property location, call the North-
ern Regional Office at 769-1450.)

Any protests against the approval of
the above-referenced correction
to Transfer No. 5311 on Water Right
No. 96-02023 must be filed with the
applicant and with the Director, Dept. of
Water Resources, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Id. 83814,
together with a protest fee of \$25.00 on
or before September 21, 1998.

KARL J. DREHER, Dir.

Legal 861
September 3, 10, 1998

REGIONAL
NORTHERN REGION

SEP 15 1998

RECEIVED

NOV 3 9 1998

August 26, 1998

Coeur d Alene Press
Lakeside and Second
Coeur d'Alene ID 83814

Re: Notice of Correction regarding Change of Water Right No. 96-02023,
Transfer No. 5311

Gentlemen:

Enclosed you will find a legal Notice of Correction which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send the Affidavit of Publication, and the bill, to this office before September 21, 1998.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

MICROFILMED

NOV 09 1998

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT THE PROPOSED CHANGE OF WATER RIGHT NO. 96-02023, RANSFER NO. 5311 in the name of ROBERT H RICKEL, whose address is PO BOX 319, BAYVIEW, ID 83803, was incorrectly advertised on August 20 and 27, 1998..

The names on the parcels listed under the Place of Use following the transfer, were incorrectly reversed. Correctly, the Place of Use following transfer should read as follows:

FOLLOWING TRANSFER, WATER RIGHT TO BE CHANGED AS FOLLOWS:

Place of use: T53N R03W Sec 25: NWNW, SWNW SENW all in Kootenai County, for a total of 73 acres to William Pittman with a total diversion rate of 1.94 CFS;

T53N R03W Sec 25: NESW, NWSW, SWSW, SESW, and T53N R03W Sec 26: SESE all in Kootenai County, for a total of 92 acres to Carl Bohn with a total diversion rate of 2.13 CFS;

Remaining 52 acres in T53N R03W Sec 36: NENE, NWNE, SWNE all in Kootenai County, for a total of 52 acres, to be retained by Robert Rickel, with a total diversion rate of 0.74 CFS.

(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction to Transfer No. 5311 on Water Right No. 96-02023 must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before September 21, 1998.

KARL J. DREHER, Dir.

Published in the Coeur d'Alene Press on September 3 and 10, 1998.

MICROFILMED

NOV 09 1998

Legals

Your Right To Know: Be an info

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 96-02023 TRANSFER NO. 5311

NOTICE IS HEREBY GIVEN that ROBERT H RICKEL, whose address is PO BOX 319, BAYVIEW ID 83803, has applied to the Department of Water Resources for a change of water right pursuant to Section 42-222 of Idaho Code.

The Applicant proposes to change the place of use for the purpose of the sale of the water right to Carl Bohn and William Pitman.

WATER RIGHT AS RECORDED:

License No.: 96-02023
Priority Date: 3/14/1917
Source: Sage Creek
Amount: 16.950 CFS
Use: Irrigation and Domestic
Point of Diversion: T53N R03W Sec 36 NENW, Kootenai County
Place of Use: T52N R03W: NWNE, NENW Sec 04;
T53N R03W: SWSE, SESE Sec 20; All of Sec. 29; SE1/4 of Sec 30; NENE, SENE, NESE, SESE Sec. 32; All of Sec. 33; NWNW, SWNW, NWSW, SWSW Sec 34; all in Kootenai County, for a total of 1880.0 acres.

FOLLOWING TRANSFER, WATER RIGHT TO BE CHANGED AS FOLLOWS:

Place of use: T53N R03W Sec 25: NWNW, SWNW SENW all in Kootenai County, for a total of 73 acres to *Carl Bohn*, with a total diversion rate of 1.94 CFS;

T53N R03W Sec 25: NESW, NWSW, SWSW, SESW, and T53N R03W Sec 26: SESE all in Kootenai County, for a total of 92 acres to *William Pitman*, with a total diversion rate of 2.13 CFS;

Remaining 52 acres in T53N R03W Sec 36: NENE, NWNE, SWNE all in Kootenai County, for a total of 52 acres, to be retained by Robert Rickel, with a total diversion rate of 0.74 CFS.

Any protest to the proposed transfer must be filed with the applicant and with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00, on or before SEPTEMBER 28, 1998.

Legal 756
August 20, 27, 1998

Karl J. Dreher, Director

NOV 6 9 1998

Ellen

*The number of
acres for Carl Bohn
and William Pitman
are or should be
corrected as to
Bohn - 92
Pitman - 75*

MICROFILMED

NOV 6 9 1998

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

STACIE WALKER

being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The LEGAL NOTICE

of which the annexed is a printed copy, was published in the regular THURSDAY issue of said newspaper for 2 consecutive WEEKS, commencing on the 20 day of AUGUST, 1998, and ending on the 27 day of AUGUST, 1998, and such publication was made as often during said period as said DAILY newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Stacie Walker

Subscribed and sworn to before me this 27 day of AUGUST, 1998

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/03

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 96-02023 TRANSFER NO. 5311

NOTICE IS HEREBY GIVEN that ROBERT H RICKEL, whose address is PO BOX 319, RAYVIEW ID 83803, has applied to the Department of Water Resources for a change of water right pursuant to Section 43-223 of Idaho Code.

The Applicant proposes to change the place of use for the purpose of the sale of the water right to Carl Bohn and William Pitman.

WATER RIGHT AS RECORDED:

License No.: 96-02023
Priority Date: 3/14/1917
Source: Sage Creek
Amount: 16.950 CFS
Use: Irrigation and Domestic
Point of Diversion: T53N R03W Sec 36 NENW, Kootenai County
Place of Use: T52N R03W: NWNE, NENW Sec 04;
T53N R03W: SWSE, SESE Sec 20; All of Sec. 29; SE1/4 of Sec 30; NENE, SENE, NESE, SESE Sec. 32; All of Sec. 33; NWNW, SWNW, NWSW, SWSW Sec 34; all in Kootenai County, for a total of 1880.0 acres.

FOLLOWING TRANSFER, WATER RIGHT TO BE CHANGED AS FOLLOWS:

Place of use: T53N R03W Sec 25: NWNW, SWNW, SENW all in Kootenai County, for a total of 73 acres to Carl Bohn, with a total diversion rate of 1.94 CFS;
T53N R03W Sec 25: NESW, NWSW, SWSW, SESW, and T53N R03W Sec 26: SESE all in Kootenai County, for a total of 92 acres to William Pitman, with a total diversion rate of 2.13 CFS;

Remaining 52 acres in T53N R03W Sec 36: NENE, NWNE, SWNE all in Kootenai County, for a total of 52 acres, to be retained by Robert Rickel, with a total diversion rate of 0.74 CFS.

Any protest to the proposed transfer must be filed with the applicant and with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00, on or before SEPTEMBER 28, 1998.

Karl J. Dreher, Director

Legal 756
August 20, 27, 1998

RECEIVED

AUG 31 1998

NORTHERN REGION
IDWR

August 12, 1998

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene ID 83814

Re: Notice of Proposed Change of Water Right No. 96-02023 - Transfer No. 5311

Gentlemen:

Enclosed you will find a legal Notice of Proposed Change of Water Right No. 96-02023, Transfer No. 5311, which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send the Affidavit of Publication, and the bill, to this office before September 8, 1998.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

MICROFILMED

NOV 03 1998

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 96-02023
TRANSFER NO. 5311

NOTICE IS HEREBY GIVEN that ROBERT H RICKEL, whose address is PO BOX 319, BAYVIEW ID 83803, has applied to the Department of Water Resources for a change of water right pursuant to Section 42-222 of Idaho Code.

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Use: Irrigation and Domestic
Point of Diversion: T53N R03W Sec 36 NENW, Kootenai County
Place of Use: T52N R03W: NWNE, NENW Sec 04;
T53N R03W: SWSE, SESE Sec 20; All of Sec. 29; SE1/4 of Sec 30; NENE, SENE, NESE, SESE Sec. 32; All of Sec. 33; NWNW, SWNW, NWSW, SWSW Sec 34; all in Kootenai County, for a total of 1880.0 acres.

FOLLOWING TRANSFER, WATER RIGHT TO BE CHANGED AS FOLLOWS:

Place of use: T53N R03W Sec 25: NWNW, SWNW SENW all in Kootenai County, for a total of 73 acres to ~~Carl Bohn~~ with a total diversion rate of 1.94 CFS; *William Pitman*

T53N R03W Sec 25: NESW, NWSW, SWSW, SESW, and T53N R03W Sec 26: SESE all in Kootenai County, for a total of 92 acres to ~~William Pitman~~, with a total diversion rate of 2.13 CFS; *Carl Bohn*

Remaining 52 acres in T53N R03W Sec 36: NENE, NWNE, SWNE all in Kootenai County, for a total of 52 acres, to be retained by Robert Rickel, with a total diversion rate of 0.74 CFS.

Any protest to the proposed transfer must be filed with the applicant and with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00, on or before SEPTEMBER 28, 1998.

Karl J. Dreher, Director

Published in the Coeur d Alene Press, on August 20 and 27, 1998.

MICROFILM

NOV 9 9 1998

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 96-02023 A
TRANSFER NO. 5311 B

NOTICE IS HEREBY GIVEN that ROBERT H RICKEL, whose address is PO BOX 319, BAYVIEW ID 83803, has applied to the Department of Water Resources for a change of water right pursuant to Section 42-222 of Idaho Code.

The Applicant proposes to change the place of use for the purpose of the sale of the water right to Carl Bohn and William Pitman.

WATER RIGHT AS RECORDED:

License No.: 96-02023
Priority Date: 3/14/1917
Source: Sage Creek
Amount: 16.950 CFS
Use: Irrigation and Domestic
Point of Diversion: T53N R03W Sec 36 NENW, Kootenai County
Place of Use: T52N R03W: NWNE, NENW Sec 04;
T53N R03W: SWSE, SESE Sec 20; All of Sec. 29; SE1/4 of Sec 30; NENE, SENE, NESE, SESE Sec. 32; All of Sec. 33; NWNW, SWNW, NWSW, SWSW Sec 34; all in Kootenai County, for a total of 1880.0 acres.

*all for T96-2023B
(Bohn + Pitman)
do I add
cfs div rates
1.94 + 2.13 = 4.07*

FOLLOWING TRANSFER, WATER RIGHT TO BE CHANGED AS FOLLOWS:

Place of use:

T53N R03W Sec 25: NWNW, SWNW SENW all in Kootenai County, for a total of 73 acres to Carl Bohn, with a total diversion rate of 1.94 CFS;

T53N R03W Sec 25: NESW, NWSW, SWSW, SESW, and T53N R03W Sec 26: SESE all in Kootenai County, for a total of 92 acres to William Pitman, with a total diversion rate of 2.13 CFS;

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Karl J. Dreher, Director

Published in the Coeur d Alene Press, on August 20 and 27, 1998.

MICROFILM

NOV 9 8 1998

*1.94
2.13
4.07*

*Modify
T96 020 23 A+B
old do
8/11/98*



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREIER
Director

To Pam Skaggs
this goes w/8/5
other 10 sheets
on Rickel db

Referred
w/al's
notations &
other papers
8/5/98 db

July 16, 1998

MEMO TO: Al
FROM: Dianne
RE: Rickel Transfer

I talked to Pam and she tells me that we need more information before we can prepare the transfer on this.

Does Rickel still have the full 1880 acres or does someone else have an interest in the original acreage? Did he acquire the whole thing or just part of the 1880 acres? In other words, we need to know what it was before the proposed change - what Rickel was actually irrigating, etc. We need to know what is currently out there now, not what was licensed in 1917.

We need to know how many acres RICKEL irrigated in each 1/4 1/4, so that we know that RICKEL is or has been irrigating "X" number of acres, and how much he will be irrigating after the transfer.

We need to know which acres belong to which part of the new place of use - how many acres and where for Bohn and how many acres and where for Pitman.

Which 165 acres are taken out to move to new place of use?

Pam says the old transfer form would probably be better to use to explain this transfer because of the split.

Pam suggests you call her when you get back from vacation for help in determining what additional information I need to prepare this advertisement, because information I have is insufficient.

1663 ACRES HAS BEEN LOST
THROUGH FORFEITURE.
217 ACRES REMAINS VALID

TOTAL
52 ACRES NW 1/4 NE 1/4
11 ACRES NW 1/4 NE 1/4
50 ACRES SW 1/4 NE 1/4
11 ACRES SW 1/4 NE 1/4
SEE 3L T.53N. R.3E

PITMAN = 73.0 ACRES
BOHN = 92.0 ACRES
(SEE BREAK DOWN ON)
PART 2

73
92
165

73
92
165

NOV 10 1998

NOV 10 1998

10 pages

8/15/98

To PAM KAGGS

From DIANNE BALL - Northern

Please call to discuss
after you
peruse
this.
Thanks

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 96-02023
TRANSFER NO. #

NOTICE IS HEREBY GIVEN that ROBERT H RICKEL, whose address is PO BOX 319, BAYVIEW ID 83803, has applied to the Department of Water Resources for a change of water right pursuant to Section 42-222 of Idaho Code.

The Applicant proposes to change the place of use for the purpose of the sale of the water right to Carl Bohn and William Pitman.

WATER RIGHT AS RECORDED:

License No.: 96-02023
Priority Date: 3/14/1917
Source: Sage Creek
Amount: 16.950 CFS
Use: Irrigation and Domestic
Point of Diversion: T53N R03W Sec 36 NENW, Kootenai County
Place of Use: T52N R03W: NWNE, NENW Sec 04;
T53N R03W: SWSE, SESE Sec 20; All of Sec. 29; SE1/4 of Sec 30; NENE, SENE, NESE, SESE Sec. 32; All of Sec. 33; NWNW, SWNW, NWSW, SWSW Sec 34; all in Kootenai County, for a total of 1880.0 acres.

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Place of use: T53N R03W Sec 25: NWNW, SWNW SENW all in Kootenai County, for a total of 73 acres to Carl Bohn, with a total diversion rate of 1.94 CFS;
T53N R03W Sec 25: NESW, NWSW, SWSW, SESW, and T53N R03W Sec 26: SESE all in Kootenai County, for a total of 92 acres to William Pitman, with a total diversion rate of 2.13 CFS;
Remaining 52 acres in T53N R03W Sec 36: NENE, NWNE, SWNE all in Kootenai County, for a total of 52 acres, to be retained by Robert Rickel, with a total diversion rate of 0.74 CFS.

Any protest to the proposed transfer must be filed with the applicant and with the Idaho Department of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00, on or before SEPTEMBER 28, 1998.

Karl J. Dreher, Director

Published in the Coeur d Alene Press, on August 20 and 27, 1998.

RECORDED

NOV 09 1998

3/13/1998

Notes for Rickel Transfer,

Mr. Carl Bohn and Robert Rickel visited our office on 3/12 to discuss initiating a transfer, which would accommodate the sale of Rickel's water right 96-02023 to Bohn and Pitman.

Mr. Bohn was given affidavit forms to document his knowledge of the historical irrigation occurring on Rickel's ranch. Mr. Rickel said that he could provide 3, or 4 affidavits from other people, also. He said that he would write one himself, documenting the number of acres and approximate diversion rate historically used.

Further action will take place upon receipt of affidavits and other forms of evidence substantiating historical usage of water.

MOORE 1/1/98

MOORE 3/9/98

Carl R Bohn
Box 121
Cahoon 24a 83801

RECEIVED
MAY 20 1998
NORTHERN REGION
IDWR

5-20-98

PRIORITY DATE Water Right Source
8-22-1898 SAGE CREEK DIVERSION

T53	3W S25 SW $\frac{1}{4}$	70 acres
+53	3W S26 SESE $\frac{1}{2}$	20 acres
IRRIGATION →		90 TOTAL
USE 4.01 to 10.31		
DOMESTIC 1/01 to 12/31		
STOCK WATER 1/01 to 12/31		

June 3, 1998 'sunny'

The irrigation system I have could utilize more water than is available at the present time due to more people using water up stream than they are entitled to. However when water is available the nozzles I use put 4 gallons per minute or 8640 every 24 hours.

The recommended amount in our area is about 2 inches of water every 12 to 14 days. The vendor I buy heads from tell me that the 6 gals. per minute at 50 pounds pressure will give about that rate.

The formula runs:

$$6 \times 60 = 360 \times 24 = 8640 \text{ per head.}$$

We generally run from 70 to 180 heads per day and run or irrigate from 60 to 90 days a year.

$$\begin{aligned} 70 \times 24 &= 604,800 \text{ gals. per day} \\ 125 \times 24 &= 1,080,000 \text{ gals per day} \\ 180 \times 24 &= 1,555,200 \text{ gals per day} \end{aligned}$$

June 3, 1998

The original system was all flood irrigation started about 1900. In 1950 a new main line system had to be installed because of leaks. Since that time sprinklers have been used. At one point several years ago we had as high as 180 sprinklers running but as more development began along Sage creek there was less water available so the system had to shrink no matter how we felt about it.

I was born and raised on the ranch. Worked here all my life and took over the operation about 1965.

Owner + Operator

Robert H. Beckel

MICROFILMED

NOV 14 1998

IN THE MATTER OF:)
)
)
)
)

AFFIDAVIT

State of Idaho)
)
)

County of _____)

Richard Hansen

being first duly sworn,

deposes and says: _____

I have known Robert Richel since 1962. To my knowledge he has irrigated his farm land from Creek water. This water was also used by his father and the Corbys original owners of the Richel Ranch. I have seen the fields irrigated every year since I have been a resident of Bayview 36 years.

Richard Hansen
(signature)

Subscribed and sworn to before me this 29th day of may 19 98.

MICROFILMED
NOV 09 1998

Reba Lynne Rock
(notary public)

Residing at Bayview
My commission expires 12-2-99.

IN THE MATTER OF:

AFFIDAVIT

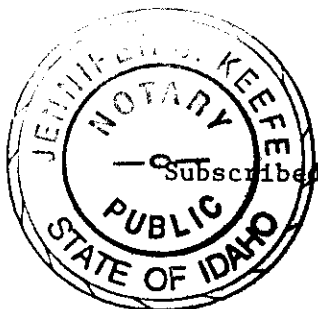
State of Idaho

County of _____

Joseph L. Dobson,

being first duly sworn,

deposes and says: I have lived in Kootenai County since September 1, 1967. I spent
5 years as Extension Agriculture Agent employed by the University of Idaho and
Kootenai County. My responsibilities were for the 4-H program and livestock
programs for Kootenai and Shoshone Counties. Since that time, I have been selling
real estate in this County (currently with Coldwell Banker Schneidmiller Realty).
I have known Robert Rickel for about 30 years and have become quite familiar with
his farming and ranching operation north of Hayden Lake and south of Athol. During
this time, I have seen his irrigation system and operation growing hay, pasture
and particularly oat hay. He has used this continuous irrigation system to
enhance his overall farming operation and obviously without it, his yields would
have been substantially reduced.



Joseph L. Dobson
(signature)
Joseph L. Dobson

Subscribed and sworn to before me this 13th day of April 19 98.

MICROFILMED
NOV 09 1998

Jennifer L. Keefe
(notary public)

Residing at Kootenai County
My commission expires 4/22/02

IN THE MATTER OF:

AFFIDAVIT

RECEIVED

MAY 20 1998

NORTHERN REGION
IDWR

State of Idaho

County of Kootenai

Carl R Bohn

being first duly sworn, deposes and says:

Box 151 Arbut 2d 83801

My Grand parents & parents have lived on this place since 1906 S 25 & 26 T 53 R 3W. I still farm the place since the death of my parent. I was born and raised there. The water has flowed in the diversion Canal ever since I can remember. I was born in 1924.

The Corbin-Richel Ranch has used this water for irrigation for that length of time. My 2 sons Robert & Randy change sprinkler pipes for Richel for several years. Our water Right dates back to 1898

Carl R Bohn

(Signature)

Subscribed and sworn to before me this 20 day of MAY, 1998

MICROFILMED

NOV 24 1998

(Notary Public)

Residing at Bayview

My Commission Expires 3/19/99

IN THE MATTER OF:

RECEIVED

FEB 21 1995

NORTHERN REGION
IDWR

AFFIDAVIT

State of Idaho

County of KOOTENAI

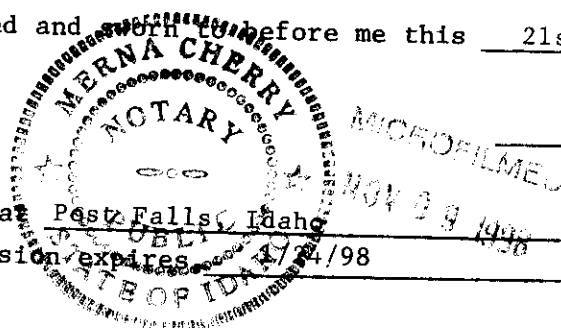
I, William R Pitman, E 9200 Bunkard, Athol, ID being first duly sworn,
deposes and says: I first observed irrigation on the Richel Ranch during
the summer of 1961. I observed irrigation in the years 1962 and
1963. I did not visit North Idaho 1964 through 1969.
I observed irrigation in 1970 and did not visit North
Idaho 1971 through 1974.

My family and I moved to North Idaho in
Aug. 1979. I remember irrigation through most of the
years if not every year from 1980 to the present.
When Bill Dole leased the ranch, my sons, Nick
and Scott Pitman were employed by Mr. Dole to set
irrigation pipe ~~out~~ on the ranch. This was in
the early 1980's. I believe each son worked for
Mr. Dole two seasons - setting pipe

A water canal easement across part of
my property was granted in 1906 to carry
water to the Washington Sugar Co. ranch for irrigation.
From what I understand irrigation on the Washington
Sugar Co - subsequently Richel Ranch ^{occurred} since the year 1906,
every year.

W.R. Pitman
(signature)

Subscribed and sworn to before me this 21st day of February 19 95.



Merna Cherry
(notary public)

Residing at Pest Falls, Idaho

My commission expires 11/24/98

IN THE MATTER OF: _____

AFFIDAVIT

State of Idaho

County of _____

Armand H. Anderson & Jean K. Anderson being first duly sworn,
deposes and says: Since 1963 we have observed Mr. Robert Rickel irrigating crops in a prudent manner following good water practices. We observed this often as we drove by his property at Highway 95 and Bunco Road in Kootenai County.

Armand H. Anderson
Jean K. Anderson (signature)

Subscribed and sworn to before me this 5th day of May 19 98.

Songha Emerson
(notary public)

Residing at Hayden
My commission expires 4-1-2003

IN THE MATTER OF:

AFFIDAVIT

State of Idaho

County of Kootenai

Janet L. Sylte

being first duly sworn,

deposes and says:

As a person who lives in the area
near the Robert Rickel Ranch near Athol, I have
seen irrigation being actively used on fields
being farmed from 1978 to the present time.

Janet L. Sylte
(signature)

Subscribed and sworn to before me this 7th day of April 19 98.

[Signature]
(notary public)

Residing at Coer'dale Idaho
My commission expires Nov 10th 1998

NOV 10 1998

IN THE MATTER OF:

AFFIDAVIT

State of Idaho

County of _____

I, GEORGE W. BOMAR

being first duly sworn,

deposes and says: that I hereby testify I have seen irrigation
sprinklers running on Robert Rickels property, which lies East
of highway 95 and South of Bunco Rd. for as long as the Rickel
Ranch has had irrigation sprinklers set up. I have driven by that
property five and six times a week on my way to work and back home.
I have never seen water wasted in any way on that piece of
property in any way, I was born and raised, and have spent all my
life in this area.

George W. Bomar
(signature)

Subscribed and sworn to before me this 15 day of 4- 19 98.

James Whitman
(notary public)

Residing at Spokane

My commission expires 2-9-2000

NOV 8 9 1998

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)
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)

1

Kootenai

being first duly sworn,

that I hereby testify, I have

I have lived in this area for the last 42 years.

(signature)

8th day of April 19 98.

(notary public)

Ch. Idrebe

6/4/98

(notary publ
JAMES
JUL 10 1998

December 14, 1973

Re: License No. 96-2023

Miller & Knudson
Attn: E. L. Miller
Coeur d'Alene Professional Center-Box E
Coeur d'Alene, Idaho 83814

Dear Mr. Miller:

Our records have been searched for the recorded water rights on Sage Creek, as you requested in your December 5, 1973 letter.

Only one water right, License No. 96-2023, was found on Sage Creek, within Sec. 36, Twp. 53N, Rge. 3W, B.M. A copy of that permit, the subsequent license, and a copy of the map made on November 1, 1922, during the field examination of the project, are enclosed.

We hope these will be of some assistance to you.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jc
Enc: Copy of permit
 Copy of license
 Copy of map

MICROFILMED

MILLER & KNUDSON

ATTORNEYS AT LAW

COEUR D'ALENE PROFESSIONAL CENTER - P.O. BOX 8

COEUR D'ALENE, IDAHO 83814

PHONE 208/664-8115

E. L. MILLER

J. T. KNUDSON

SAMUEL RISMANN

December 5, 1973

Mr. R. Keith Higginson
Director of Water Administration
Idaho State Department of Water Adm.
Boise, Idaho

RE: IRETA SMITH

Dear Keith:

I am involved in a question that relates to Sage Creek. Sage Creek exists principally upon Section 36, Township 53 North, Range 3 W.B.M., Kootenai County, State of Idaho, which property continues primarily to be State Land. Approximately 60 years ago, the State of Idaho did upon this property dam this Creek for the purposes of creating a reservoir, and a water system for distribution of water to various individuals in the area of Corbin Junction.

This system has been maintained, with many users, including the Bomars, Hatchs, Kienkes, Rickels and Smiths. Others, too, have obtained domestic water from this source.

At the present time an effort is being undertaken to diminish obviously what was a public supply into a private source of water for one individual.

Would you please check and relate to me what your records show in regards to Sage Creek, the development thereof, and the action taken by the Bureau of Reclamation in damming and creating reservoirs and systems thereon.

Very truly yours,

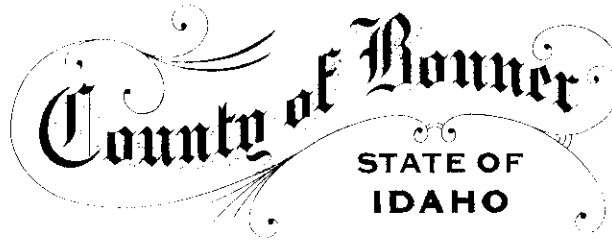
E.L. Miller
ap

E.L. MILLER

ELM/aap

916-2023

JOHN M. FLYNN, DISTRICT JUDGE
W. F. McNAUGHTON, CLERK OF THE DISTRICT COURT
ROBT. S. MCCREA, AUDITOR AND REVENUE
ROBT. COONS, TREASURER AND TAX COLLECTOR
R. G. PRICHARD, ASSESSOR
WILLIAM KIRKPATRICK, SHERIFF
ALLEN P. ASHER, PROSECUTING ATTORNEY
JESSIE HAWKINS TUCK, Supt. PUBLIC INSTRUCTION
CHARLES TIGGELBECK, SURVEYOR
G. H. MARTIN, PROBATE JUDGE
W. M. KNAPP, CORONER



COMMISSIONERS
ALBERT HAGMAN
HENRY L. MELDER
BEN THOMPSON

SANDPOINT, IDAHO

December 2, 1922.

Mr. W. G. Swendsen,
Commissioner,
Dept. of Reclamation,
Boise, Idaho.

Dear Sir:

I am herewith enclosing a report on water permit No. 3767 held by Austin Corbin 2nd. I wish to state that during the examination of this permit there was about 7 or 8 inches of snow on the ground and snowing a little at the time. Owing to the condition of the weather and the ground at that time I located the points of diversion, took a number of cross sections of the ditch, one of their flume connecting with a 24 inch pipe. I did not however run the alignments or grades of their ditch, flume or pipe line. However I did walk over and determine for myself that these works were installed as near as shown on his plat. However it was impossible for us to locate all the small laterals and they have been copied from maps of Austin Corbin 2nd.

I wish to state that in the cross section of the ditch which enters the flume that this ditch was badly washed in and was of somewhat smaller cross section than originally built; that this cross section that I give you in the report was the cross section of the smallest place.

Should you wish any more information on this report I will be glad to give you same.

CT/MV

Very truly yours,
Chas. Tiggelbeck

3767

REPORT OF ENGINEER

Completion of Works

This proof is for & Beneficial Use

In Water District No.

1. State name of applicant and number of permit: Austin Corbin 2nd. Permit No. 3767
2. State source of water supply: Sage Creek
3. Location of point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, T. 53 N. R. 3 west B.M.
Bears S. 76°31' W., 1758.46 Ft. from Secs. cor. 25, 26, 35 and 36, T. 53 N. R. 3 W

4. Describe works as they exist, giving dimensions and capacities of same:

A wooden head gate 34 inches wide, 5 ft. deep, 35 ft. long. 8300 ft.

of ditch; cross section just below intake; bottom 3 $\frac{1}{2}$ ft; top 12 ft; depth 3 ft; grade 0.17 %; capacity 23.4 sec. ft; cross section of ditch entering flume; bottom 2 ft; top 5 ft; depth 2 $\frac{1}{2}$ ft; grade 0.17%; capacity 14 sec. ft. 730 ft. of rectangular board flume 33" wide, 22" deep; grade 0.163%; capacity 18.72 sec. ft. 8400 ft. 24" wood pipe; head 89.7 ft. capacity 28.26 sec. ft. Laterals 2000 ft. 18" wood pipe; 2400 ft. 16"; 2800 ft. 14"; 4310 ft. 10"; 7400 ft. 8"; 770 ft. 6"; 5646 ft. 4"; and 2150 ft. of small open ditch.

5. State whether or not water has been turned into works of diversion: Yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SE $\frac{1}{4}$ Sec. 20; all of Sec. 29; SE $\frac{1}{4}$ of Sec. 30; E $\frac{1}{2}$ E $\frac{1}{2}$ Sec. 32; all of Sec. 33; W $\frac{1}{2}$ W $\frac{1}{2}$ Sec. 34; Twp. 53 N. R. 3 West B.M., N $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 4, Twp. 52 N. R. 3 West B.M., Acreage in cultivation 22 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$, 14 Ac. NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 Ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 Ac. SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20; NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, 32 Ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$; 40 Ac. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 35 Ac. SW $\frac{1}{4}$ NW $\frac{1}{4}$; 4 Ac. NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 29; 20 Ac. NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 Ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$; 25 Ac. SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30; 80 Ac. E $\frac{1}{2}$ NE $\frac{1}{4}$; 13 Ac. NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; NE $\frac{1}{4}$, 35 Ac. NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 Ac. NW $\frac{1}{4}$ SE $\frac{1}{4}$; 30 Ac. NE $\frac{1}{4}$ SW $\frac{1}{4}$; 30 Ac. NW $\frac{1}{4}$ SW $\frac{1}{4}$; and the NW $\frac{1}{4}$ Section 33. Total number of acres under cultivation 1298.

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? One

9. Give names and amount of each right: Austin Corbin 2nd. 16.95 sec. ft.

10. What large stream would the water here appropriated finally reach? Not determined

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: This stream sinks and disappears near the center of section 36 Twp. 53 N. R. 3 West B.M.

Remarks: At this time Sage Creek was flowing about five sec. ft.

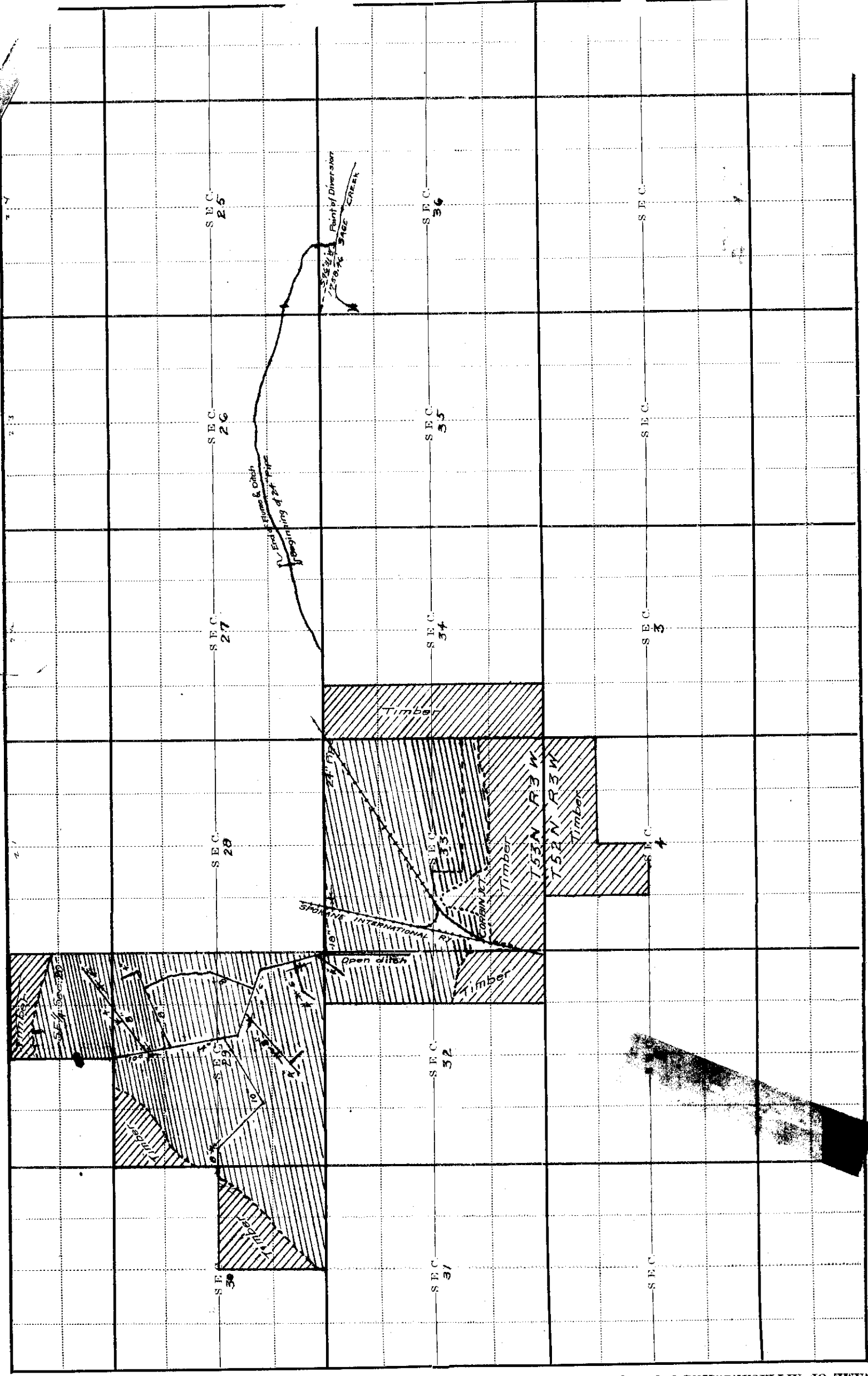
This examination was made on the 1st day of November 1922

(Signed)

Chas. Tiggelbeck

Examiner.

3767



(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of Bonner

} ss.

Chas. Tiggelbeck

, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 14th day of December 1924

My commission expires June 3rd 1926

John A. Shambaugh
Notary Public.

3767

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

3767

PERMIT No. 3767

Proof of Completion of Works

DEPOSITION OF HOLDER

Under Terms of H. B. 53, Laws 1917.

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

Ans. AUSTIN CORBIN 2d - 58 years - Spokane

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. See attached sheet

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. Irrigation. About 1720 acres

See description of land on attached sheet.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Water was turned in about June, 1908. Full extent of capacity of canal and flow of stream.

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with the terms of the permit.

Ans. Fully completed about June, 1908. They do not comply in all respects with the terms of the permit.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. The works of diversin were modified so that their capacity would not be in excess of the flow of the stream in the irrigation season

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on June, 1908, and give cost of same.

Ans. Cost of works of diversion \$32,250.

For description see attached sheet

(Sign here.)

Austin Corbin 2d

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, at my office in Spokane, County of Spokane, State of Washington, on this 6th day of October, A. D., 1922.

J. A. Keller
Notary Public

My commission expires

2/18/23

3767

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 3767

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917.

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

Ans. W. B. Oldham East Farms, Wash., res. P.O. Address -
General Farming

Ques. 2. Are you acquainted with Austin Corbin 2d, the holder of Permit No. 3767, authorizing the diversion of 36.2 second-feet of the waters of Sage Creek, at for irrigation purposes? How long have you known him, and where does he reside?

Ans. I am - about 15 years - Spokane, Washington

Ques. 3. Have you read or heard read said Permit No. 3767, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the land. Same is rolling farm land with good soil. One cu.ft. per second for 80 acres is required for its proper irrigation

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes, works were completed about June, 1908

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Dam 5 ft. high, 20 ft. long, Headgate 4 ft. high, 6 ft. long. Ditch 2 ft. wide at bottom, 7 ft. at top. Pipe line 24 in. in diameter. Estimated capacity 16.95 cu.ft. per second

(Sign here)

W. B. Oldham

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, at my office in Spokane, County of Spokane, State of Washington, on this 6th day of October, A. D., 1922.

J. A. Allen
Notary Public

My commission expires 21-1

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No. 3767

Proof of Completion of Works

DEPOSITION OF WITNESS

Under Terms of H. B. 53, Laws 1917.

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

Ans. C. J. Oldham 35, Residence & P.O. Add., East Farms, Wn., -Genl.
Farming

Ques. 2. Are you acquainted with Austin Corbin 2d, the holder of Permit No. 3767, authorizing the diversion of 36.2 second-feet of the waters of Sage Creek, at

for irrigation purposes? How long have you known him, and where does he reside?

Ans. I am 15 years Spokane, Washington

Ques. 3. Have you read or heard read said Permit No. 3767, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. I am acquainted with the land. Same is rolling farm land with good soil. One cu.ft. per second for 80 acres is required for its proper irrigation.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use? If so, when were they so completed?

Ans. Yes, works were completed about June, 1908.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans. Dam 5 ft. high, 20 ft. long. Headgate 4 ft. high, 6 ft. long. Ditch 2 ft wide at bottom, 7 ft. at top. Pipe line 24 in. in diameter. Estimated capacity 16.95 cu.ft. per second.

(Sign here)

C. J. Oldham

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, at my office in Spokane, County of Spokane, State of Washington, on this 6th day of October, A. D., 1922.

J. H. Allen

Notary Public

My commission expires

PERMIT NO. 3767**Proof of Application of Water to Beneficial Use****Deposition of Holder**

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

Ans. Austin Corbin 2d - 58 years - Spokane

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

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 3767 filed Mar. 25, 1908, approved by state engineer July 3, 1908. For priorities see attached sheet.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. See answer on attached sheet

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. See answer on attached sheet

Ques. 6. State for what purport water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water used for irrigation.See attached sheet for description of land.

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. 16.95 cu. ft. per second, for irrigation.

Ques. 9. 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.

Ans. By mesne conveyance.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. At all times since about June, 1908, for irrigation,
to the full capacity of the system and flowage of the stream.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. A small amount of water has been utilized on the lands under a
permit held by me from Lewallyn creek, but this supply is irregular
and uncertain and the water derived from it has been nominal in
quantity to date.

(Sign)

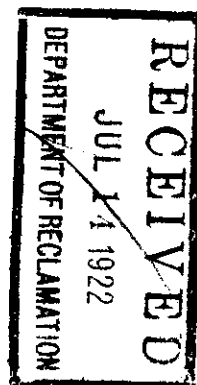
Arthur E. Olsen

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 testi-
mony was subscribed and sworn to before me, at my office in
Spokane, County of Spokane, State of Washington, on this 6th
day of October A. D., 1922.

W. H. Allen
Notary Public

My commission expires

2/18/23



Permit No. 3767**Proof of Application of Water to Beneficial Use**

DEPOSITION OF WITNESS

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

Ans. W. R. Oldham, Residence and P.O. Address, East Farms,
Washington. Occupation- General FarmingQues. 2. Are you acquainted with Austin Corbin 2d, the
holder of Permit No. 3767? How long have you known him and where does he reside?Ans. Yes, about 15 years, Spokane, Wash,Ques. 3. Have you read or heard read said Permit No. 3767., and are you familiar with
its provisions and conditions?Ans. YesQues. 4. State source of water supply, place of diversion, and describe works for convey-
ing water from point of diversion to place of use.Ans. Source of supply, Sage Creek in Kootenai County
Place of diversion - In the northwest quarter of Section 36, Twp. 53
N. R. 3 W. B. M.Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use, and how much water have you seen being so conveyed?Ans. 16.95 cu. ft. The full capacity of the canalQues. 6. State for what purpose water is used and at what place. (If for irrigation, give
each subdivision in which water has been used and number of acres irrigated in each sub-
division.) State whether cultivated or natural meadow land and the nature of all improve-
ments which have been made as a direct result of said use.Ans. For irrigation
See description of land attachedQues. 7. If for power or other purposes than irrigation, state how water has been ap-
plied and to what extent.Ans. _____

_____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.Ans. Rolling farm land of good soil. The amount of water needed
is 1 cu. ft. per second for 80 acres.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. The full capacity of stream to capacity of ditch has been
used at all times through the system for irrigation, in the
irrigation season.

(Sign) W. R. Oldham

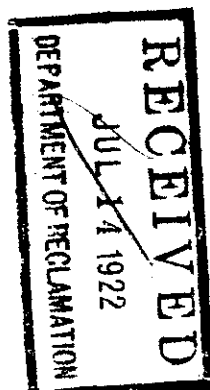
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Spokane, County of Spokane, State of Washington, on this 6th day of October, A. D., 1922.

W. R. Oldham
Notary Public

My commission expires

2/18/23

3767



Permit No. 3767.....

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. C. J. Oldham, age 35, Residence and P.O. Address - East Farms,
Washington, Occupation- General FarmingQues. 2. Are you acquainted with..... Austin Corbin 2d....., the
holder of Permit No. 3767...? How long have you known him and where does he reside?

Ans. Yes, 15 years, Spokane, Wash.

In Spokane, Wash.

Ques. 3. Have you read or heard read said Permit No. 3767., and are you familiar with
its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for convey-
ing water from point of diversion to place of use.

Ans. Source of supply Sage Creek, in Kootenai County

Place of diversion - In the northwest quarter of Section 36, Twp. 53.

N. R. 3 W. B. M.

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use, and how much water have you seen being so conveyed?

Ans. 16.95 cu. ft. The full capacity of the canal

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give
each subdivision in which water has been used and number of acres irrigated in each sub-
division.) State whether cultivated or natural meadow land and the nature of all improve-
ments which have been made as a direct result of said use.

Ans. For irrigation.

See description of land attached.

Ques. 7. If for power or other purposes than irrigation, state how water has been ap-
plied and to what extent.

Ans.

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.Ans. Rolling farm land of good soil. The amount of water needed
is 1 cu. ft. per second for 80 acres

3767

Ques. 9. Have you any interest in the works, water or lands above mentioned If so, in what way and to what extent?

Ans. None

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. The full capacity of stream to capacity of ditch has been used at all times through the system, for irrigation, in the irrigation season.

(Sign) C. J. Eldham

I hereby certify that the foregoing testimony was read to the above subscriber before me.

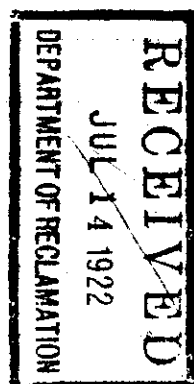
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Spokane, County of Spokane, State of Washington, on this 6th day of October, A. D., 1922.

A. V. Collins
Notary Public

My commission expires

2/18/23

3787

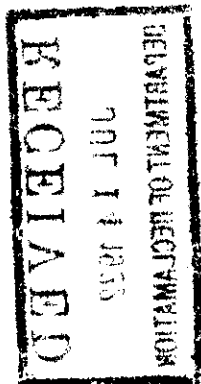


FORM 17
ANSWER TO QUESTION 6

South Half of the South Half of the Southeast Quarter (S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 20	40	acres
All of Section 29 except about 30 acres in the Northwest corner, which is capable of irrigation, but now has some timber on it	610	"
East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32	80	"
North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 32	20	"
Balance of East Half of Southeast Quarter of Section 32 capable of irrigation but now in timber.		
Northwest Quarter (NW $\frac{1}{4}$); West Half of Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$); Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$); about 20 acres in East Half of Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$); about 40 acres in Southwest Quarter (SW $\frac{1}{4}$); all in Section 33	340	"
The balance of Section 33 is capable of being irrigated from this source, but is now in timber.		
The West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$) of Section 24 is all in timber, but is all capable of being irrigated.		
About 85 acres in the Southeast Quarter (SE $\frac{1}{4}$) Section 30	85	"
Balance of the Southeast Quarter (SE $\frac{1}{4}$) of Section 30 in timber but capable of being irrigated from this source.		
All the above lands in Township 53, North, Range 3 W., B.M.		
About 20 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 52 North, Range 3 W., B.M.	20	"

In addition to the acreage which has been irrigated there is approximately 600 acres owned by the applicant which is capable of irrigation from this source, and which is adjacent to the irrigation canal, but which has not yet been irrigated due to the fact that the entire water supply has been utilized on the lands that have been irrigated.

Cultivated land.



October 2, 1922.

Re: Permit No. 3767

Mr. F. D. Allen,
Attorney at law,
Spokane, Washington.

Dear Sir:-

Referring to your letter of the 30th ult., relative to proof under the above numbered permit would say that the depositions filed under the first publication may be brought down to date and used instead of filling out new blanks. This would simplify matters both for you and our files here. I am therefore returning the depositions to you for any additions you may desire to make and to be brought down to date of making proof in accordance with the second notice published.

Very truly yours,

J. G. SWENSEN,

Commissioner of Reclamation.

By

Chief Clerk.

Enc.Dep.

ALBERT ALLEN
ALEX M. WINSTON
F. D. ALLEN

ALLEN, WINSTON & ALLEN
ATTORNEYS AT LAW
PAULSEN BUILDING, SPOKANE, WASHINGTON

September 30, 1922

W. G. Swendsen, Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

RE: Permit 3767

I am today in receipt of forms for proof of application for water for beneficial use in connection with the above permit.

I assume from there being only proofs of beneficial use enclosed that you intend to apply the proofs of completion of works made sometime ago, and now in your hands, and it will not be necessary to make new proof. As I recall the notice which is being published, however, it calls for proof of both facts, but I may be mistaken in this as I have not a copy before me.

If it is necessary to make proof of completion of works at this time, will you kindly send me by return mail the necessary forms, and oblige,

Very truly yours,

A:a



P.S. Since writing the above, I have seen a copy of the notice and it does call for proof of completion of works as well as application to beneficial use.

F.D.A.

3767

FORM 17
ANSWER TO QUESTION 6

South Half of the South Half of the Southeast Quarter (S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 20 40 acres

All of Section 29 except about 30 acres in the Northwest corner, which is capable of irrigation, but now has some timber on it 610 "

East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32 80 "

North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 32 20 "

Balance of East Half of Southeast Quarter of Section 32 capable of irrigation but now in timber.

Northwest Quarter (NW $\frac{1}{4}$); West Half of Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$); Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$); about 20 acres in East Half of Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$); about 40 acres in Southwest Quarter (SW $\frac{1}{4}$); all in Section 33 340 "

The balance of Section 33 is capable of being irrigated from this source, but is now in timber.

The West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$) of Section 24 is all in timber, but is all capable of being irrigated.

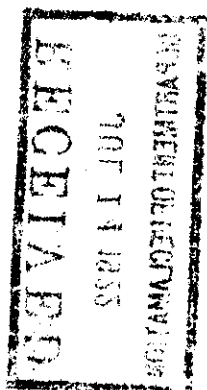
About 85 acres in the Southeast Quarter (SE $\frac{1}{4}$) Section 30 85 "

Balance of the Southeast Quarter (SE $\frac{1}{4}$) of Section 30 in timber but capable of being irrigated from this source.

All the above lands in Township 53, North, Range 3 W., B.M.

About 20 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 52 North, Range 3 W., B.M. 20 "

In addition to the acreage which has been irrigated there is approximately 600 acres owned by the applicant which is capable of irrigation from this source, and which is adjacent to the irrigation canal, but which has not yet been irrigated due to the fact that the entire water supply has been utilized on the lands that have been irrigated.



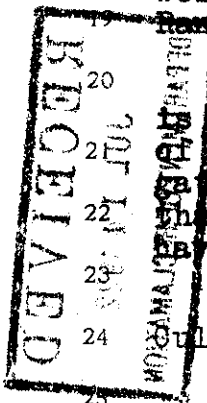
6781

FORM 16
ANSWER TO QUESTION 6

South Half of the South Half of the Southeast Quarter
(S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 20 40 acres
All of Section 29 except about 30 acres in the North-
west corner, which is capable of irrigation, but now
has some timber on it 610 "
East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Sec-
tion 32 80 "
North Half of the Northeast Quarter of the Southeast
Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 32 20 "
Balance of East Half of Southeast Quarter
of Section 32 capable of irrigation but
now in timber.
Northwest Quarter (NW $\frac{1}{4}$); West Half of Northeast Quar-
ter (W $\frac{1}{2}$ NE $\frac{1}{4}$); Northwest Quarter of Southeast Quarter
(NW $\frac{1}{4}$ SE $\frac{1}{4}$); about 20 acres in East Half of Southeast
Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$); about 40 acres in Southwest Quarter
(SW $\frac{1}{4}$); all in Section 33 340 "
The balance of Section 33 is capable of being
irrigated from this source, but is now in timber.
The West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$) of Section
24 is all in timber, but is all capable of being
irrigated.
About 85 acres in the Southeast Quarter (SE $\frac{1}{4}$) Section 30 85 "
Balance of the Southeast Quarter (SE $\frac{1}{4}$) of Section
30 in timber but capable of being irrigated from
this source.
All the above lands in Township 53, North, Range 3 W., B.M.
About 20 acres in the Northwest Quarter of the Northeast
Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the North-
west Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 52 North,
Range 3 W., B.M. 20 "

In addition to the acreage which has been irrigated there
is approximately 600 acres owned by the applicant which is capable
of irrigation from this source, and which is adjacent to the irri-
gation canal, but which has not yet been irrigated due to the fact
that the entire water supply has been utilized on the lands that
have been irrigated.

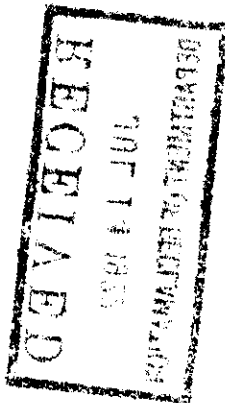
Cultivated Lands.



378

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Sage Creek Water System



Ans. to Question 3

1 Permit No.3767 filed March 25, 1908

2 Approved by State Engineer July 3, 1908

3 Authorized to divert 36.2 cu.ft.

4 Source of Supply, Sage Creek (sometimes known as Cedar Creek) in
5 Kootenai County.

6

7 Point of diversion is a point which bears south 78 degrees 47

8 minutes East, 1808.4 feet from section corner common to Sections

9 25, 26, 35 and 36, Township 53 North, Range 3 W.,B.M., actual point

10 of diversion being about 20 feet southerly from that point.

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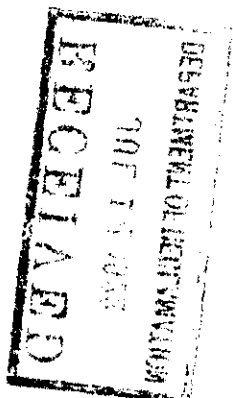
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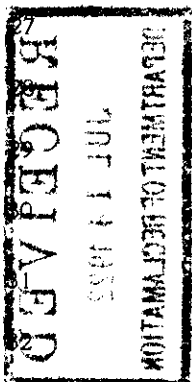


3767

FORM 28
ANSWER TO QUESTION 4

South Half of the South Half of the Southeast Quarter (S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 20	40	acres
All of Section 29 except about 30 acres in the Northwest corner, which is capable of irrigation, but now has some timber on it	610	"
East Half (E $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32	80	"
North Half of the Northeast Quarter of the Southeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 32	20	"
Balance of East Half of Southeast Quarter of Section 32 capable of irrigation but now in timber.		
Northwest Quarter (NW $\frac{1}{4}$); West Half of Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$); Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$); about 20 acres in East Half of Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$); about 40 acres in Southwest Quarter (SW $\frac{1}{4}$); all in Section 33	340	"
The balance of Section 33 is capable of being irrigated from this source, but is now in timber.		
The West Half of the West Half (W $\frac{1}{2}$ W $\frac{1}{2}$) of Section 24 is all in timber, but is all capable of being irrigated.		
About 85 acres in the Southeast Quarter (SE $\frac{1}{4}$) Section 30	85	"
Balance of the Southeast Quarter (SE $\frac{1}{4}$) of Section 30 in timber but capable of being irrigated from this source.		
All the above lands in Township 53, North, Range 3 W., B.M.		
About 20 acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 4, Township 52 North, Range 3 W., B.M.	20	"

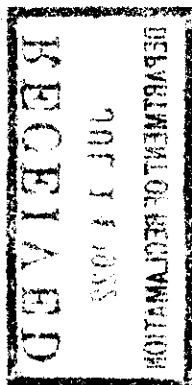
In addition to the acreage which has been irrigated there is approximately 600 acres owned by the applicant which is capable of irrigation from this source, and which is adjacent to the irrigation canal, but which has not yet been irrigated due to the fact that the entire water supply has been utilized on the lands that have been irrigated.



377

FORM 28
ANSWER TO QUESTION 8

Dam as constructed conformed to requirements of permit. This dam has since been reconstructed, conforming substantially to permit, but the headgate has been decreased in size to correspond with size of ditch. The headgate is now about 6 feet high and 4 feet wide. The ditch as constructed originally and now in existence is 2 feet wide on the bottom and 7 feet wide at top, and has capacity of 16.95 cu. ft. of water per second. Pipe lines as described in permit were installed and are now in operation.



3787

1 FORM 16
2 ANSWER TO QUESTION 3

3 PRIORITIES

4 5 cu.ft. under Egbers water right location, dated August 22, 1898
5 10 cu.ft. under Egbers water right location, dated June 23, 1900
6 1.6 cu.ft. under Permit 1437 to Robert C. Egbers, dated July 19, 1905
7 .35 cu.ft. out of Permit 2159 rented to Edwin McBee on July 28, 1906

8 I also claim priorities and rights under Permit No. 1966
9 granted to S. E. Beggs May 5, 1906 for 6.4 cu.ft., and Permit No.
10 2435 for 3.2 cu.ft. granted to M. D. Wright December 8, 1906, all
11 of which water rights and permits have been acquired by Austin
12 Corbin 2d, and have been consolidated into Permit No. 3767.

13 FORM 16
14 ANSWER TO QUESTION 4

15 Source of water supply is Sage Creek (sometimes known
16 as Cedar Creek) in Kootenai County.

17 Point of diversion is a point which bears south 78 degrees
18 47 minutes east, 1808.4 feet from section corner common to Sections
19 25, 26, 35 and 36, Township 53 North, Range 3 W., B.M. - Actual
20 point of diversion about 20 feet southerly from that point.
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3767

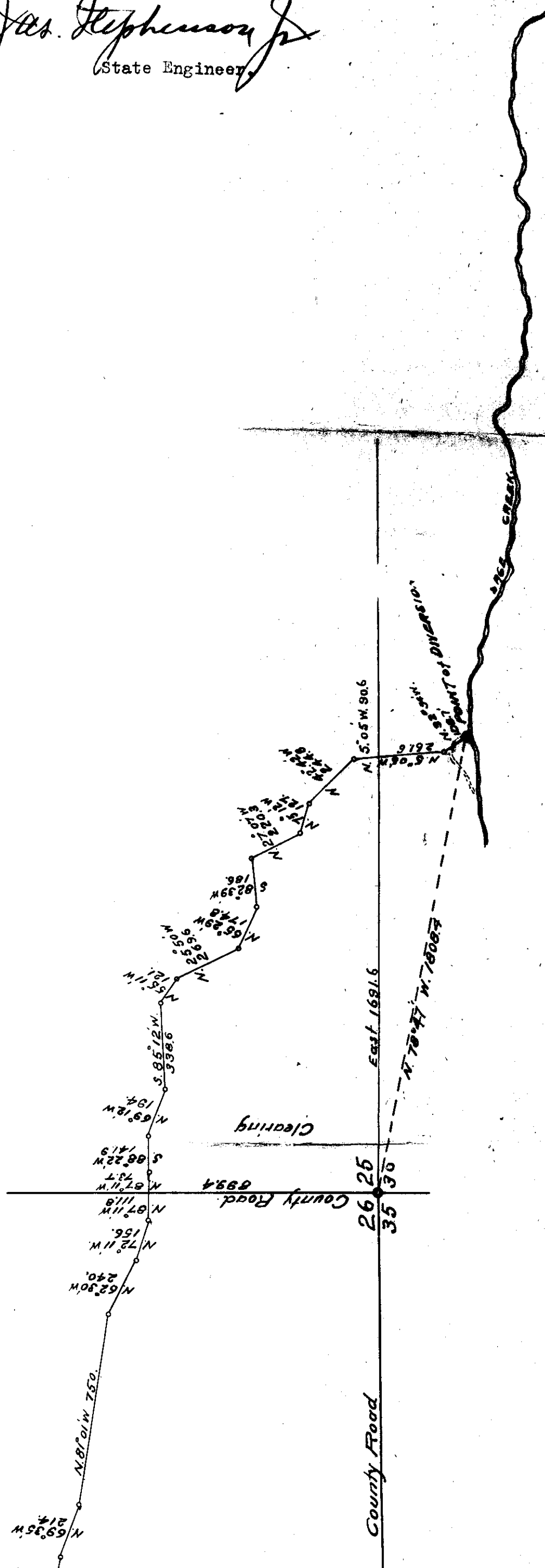
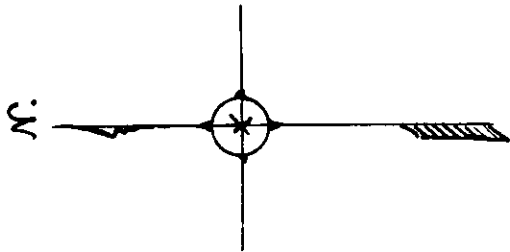
Application No. 5018.
 Permit No. 3767.
 Austin Corbin 2nd.
 36.2 sec. ft. Sage creek.
 Kootenai county
 Approved July 3, 1908.

Jas. Stephenson Jr.
 State Engineer.

MAP SHOWING SOURCE OF SUPPLY, POINT OF DIVERSION,
 ROUTE OF DITCH AND LAND TO BE IRRIGATED
 IN KOOTENAI COUNTY, IDAHO
 BY AUSTIN CORBIN 2ND.
 APPLICATION #5018.

I HEREBY CERTIFY THIS TO BE A TRUE AND CORRECT
 MAP SHOWING SOURCE OF SUPPLY, POINT OF DIVERSION,
 ROUTE OF DITCH AND LAND TO BE IRRIGATED IN KOOTENAI
 COUNTY, IDAHO, BY AUSTIN CORBIN 2ND. AS SURVEYED
 UNDER MY CHARGE IN MAY A.D. 1908

D. J. Miller
 ENGINEER IN CHARGE
 SPOKANE, WASHINGTON
 - JUNE 2, 1908 -



DITCH.
1 IN = 2 FT.

3.0

2.50

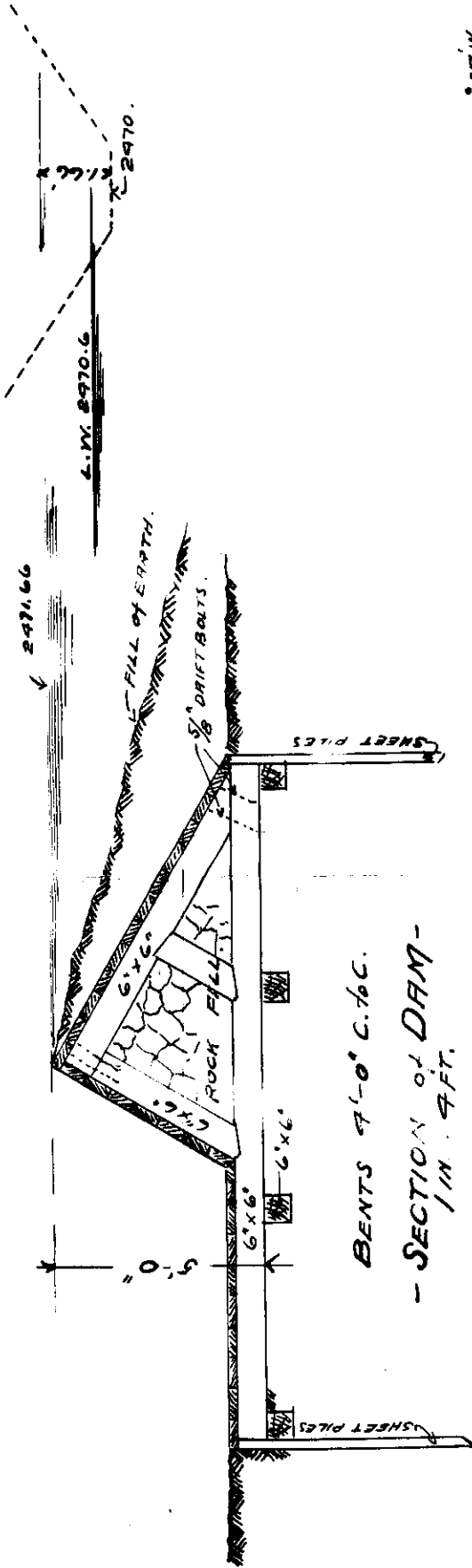
AREA = 7.500'

15588 = 0.0017

C = 56

0.96 = 2.26

16.95 Cu. Ft.



BENTS 6'-0" C.T.C.
- SECTION OF DAM -
1 IN = 4 FT.

End of Ditch & Flume

24" inch Wood Pipeline.

5.72° 03' W 1225'

5.89° 48' W

450'

6.20° W

148.5'

5.15° W

100.300'

5.72° 03' W

1225'

5.89° 48' W

450'

5.15° W

100.300'

6.20° W

148.5'

5.72° 03' W

1225'

5.89° 48' W

450'

5.15° W

100.300'

6.20° W

148.5'

5.72° 03' W

1225'

5.89° 48' W

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5.15° W

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6.20° W

148.5'

5.72° 03' W

1225'

5.89° 48' W

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5.15° W

100.300'

6.20° W

148.5'

5.72° 03' W

1225'

5.89° 48' W

450'

5.15° W

100.300'

6.20° W

148.5'

27.26

34.35

T. 53. N. R. 3. W. B. B. & M.

Cor

N 86° 45' W

228

N 78° 35' W

186

N 69° 35' W

214

S 82° 37' W

364

S 65° 10' W

3000

S 88° 18' W

400

S 81° 25' W

600

S 71° 15' W

480

S 60° 29' W

255

S 60° 29' W

255

S 60° 29' W

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S 60° 29' W

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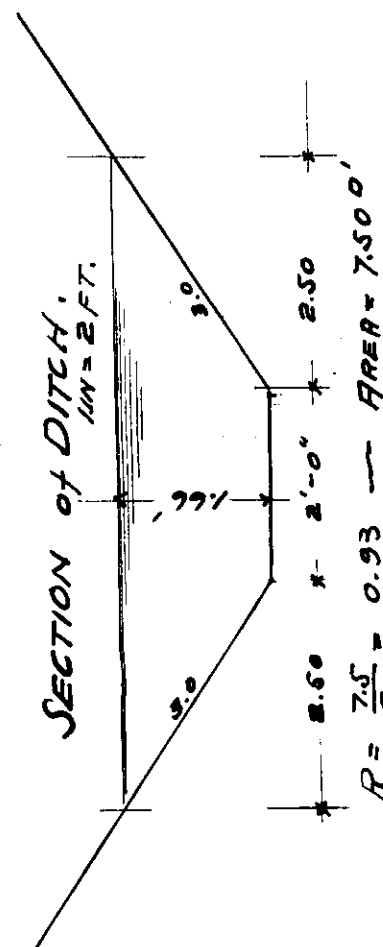
255

S 60° 29' W

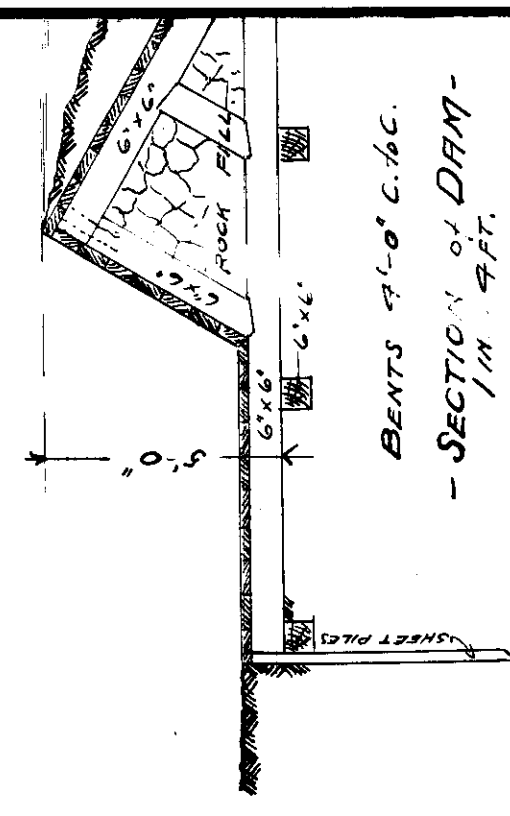
255

S 60° 29' W

255



$R = \frac{7.5}{8.0} = 0.93$ — AREA = 7.500'
 $\gamma R = 0.86$
 $S = 1.77 \text{ ft. per } 1000 = 1 \text{ IN } 588 = 0.0017$
 $\gamma S = .091239 - C = 56$
 $V = 56 \times 0.091239 \times 0.96 = 2.26$
 $Q = 7.5 \times 2.26 = 16.95 \text{ Cu. Ft.}$



BENTS 7'-0" C.T.C.
 - SECTION OF DAM -
 1 IN = 4 FT.

