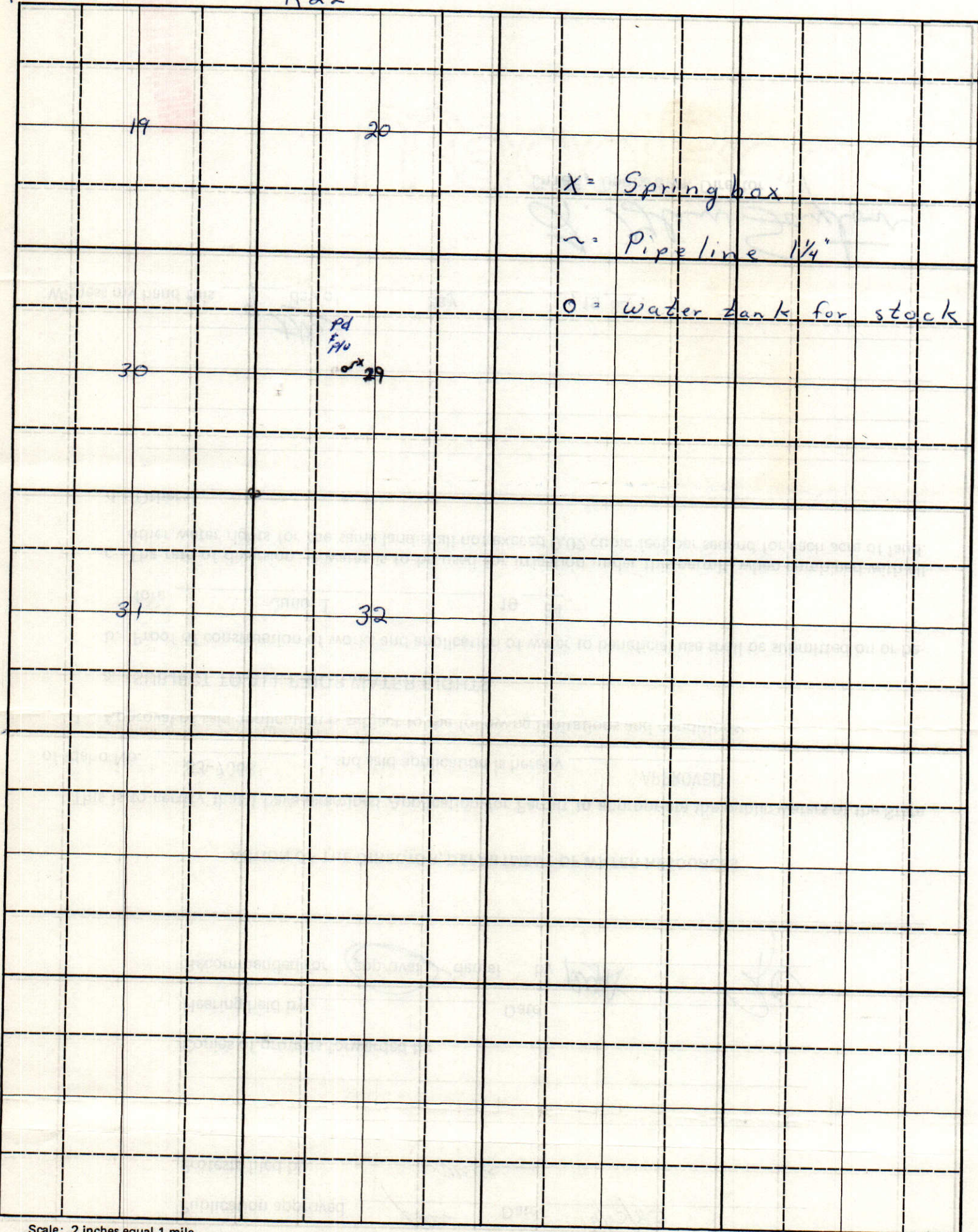


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T37N

R2E



Scale: 2 inches equal 1 mile.

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

Howard E. Bird
(Applicant)

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Application for

Water Right - H. Bird 83-7068

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 24th day of March, 19 83, and ending on the 31st day of March, 19 83.

Nancy Noble
Subscribed and sworn to before me this 31st day of March, 19 83

Beverly Bowen

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s)
have been filed to appropriate
the public waters of the State
of Idaho:

83-7068

BIRD, HOWARD E.
RT. 3 BOX 112A, OROFINO,
ID 83544

Source: SPRING trib. to
SINKS

Date Filed: 03/11/1983

Diversion Pt: SENW Sec 29
T 37N R 02E

Use: STOCKWATER (0.05
CFS)

In: SENW Sec 29 T 37N R
02E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, ID 83814 on or before APRIL 11, 1983.

KEN DUNN, Director
3-24,31c

MICROFILMED

RECEIVED

APR 12 1983

Department of Water Resources
Northern District Office

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

☐ Aerial Photo of Place of Use Attached
or Map of Irrigated Acreage Attached

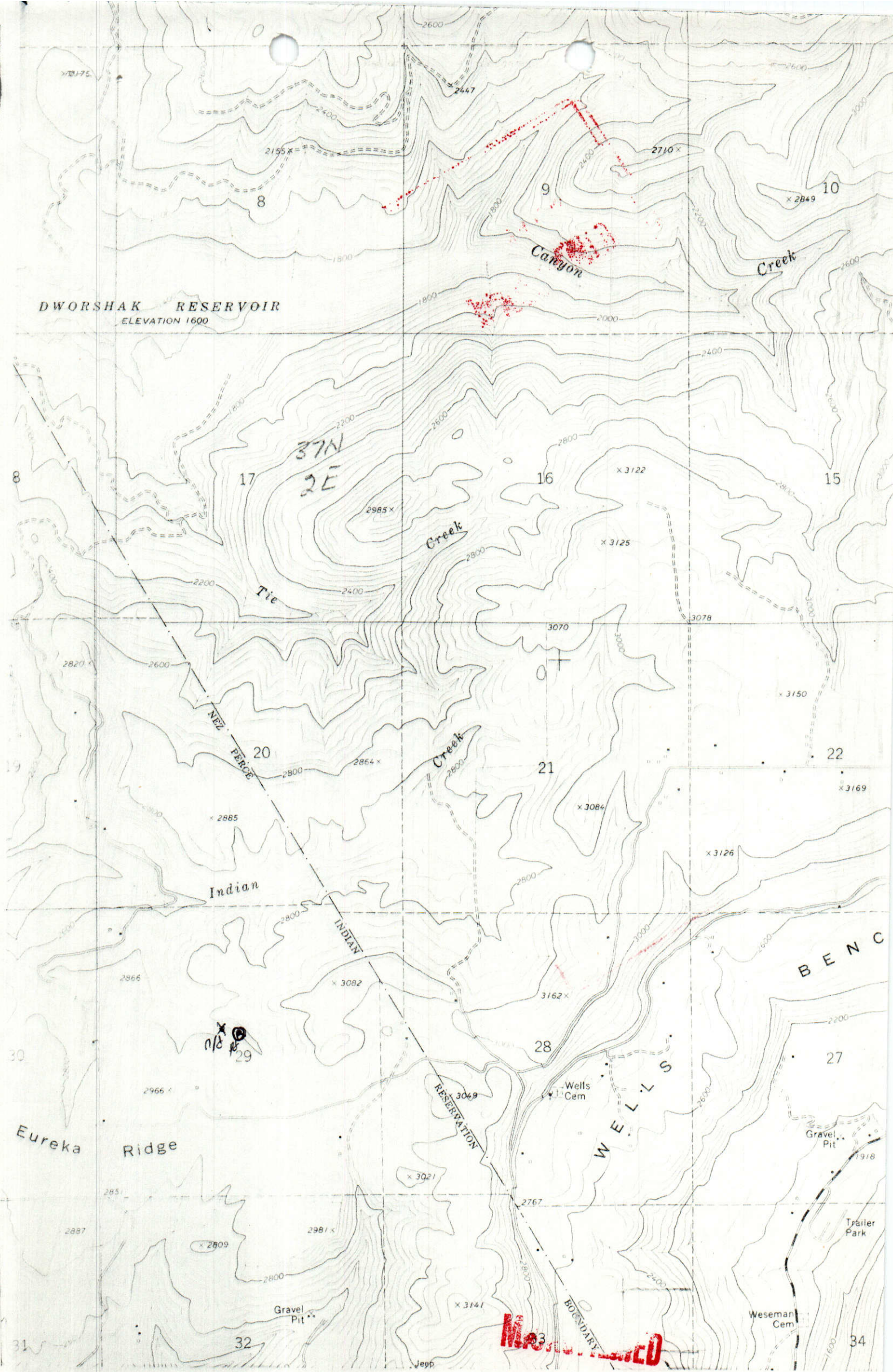
14. Remarks _____

15. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None



MAP 16 1988

TWP. 37N RGE. 2E SEC. 29 MAP # K-59 MAP SCALE: 7 1/2
DATE OF FIELD EXAM _____ FIELD REPORT MAP PERMIT # 83-7068

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 83-7068

Priority: March 11, 1983 Amount: .05 CFS 2.7 AFA

This is to certify, that HOWARD E. BIRD
4063 CANYON CREEK RD.
OROFINO, ID 83544

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated March 11, 1983, and
has submitted proof to the Department of Water Resources on July 1, 1984, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .05 cfs of water from;

SPRING

tributary to SINKS

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater	01/01 to 12/31	.05 cfs	2.7 afa

LOCATION OF POINT OF DIVERSION(S): SENW , Sec. 29, Township 37N, Range 2E
Clearwater County

PLACE OF USE: Stockwater

TWN RGE SEC

37N 2E 29 SENW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 9th day
of November, 1987.

MICROFILMED

MAR 16 1988

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Howard E. Bird Phone 476-3352
Post office address Rt. 3, Box 112A Orofino, Id. 83544
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 37N
Range 2E B.M. Clearwater County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.05 for livestock water purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.05 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Water flows by gravity through a 1/4" pipeline from a spring box, 300' to a stock water tank.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

- (1) Give the place of use of water: SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 37N
Range 2E B.M.
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered 150 beef cattle

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

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

Statutory Claim on separte spring

9. a. Who owns the property at the point of diversion Howard E. Bird

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks I developed this spring for the purpose of watering livestock.

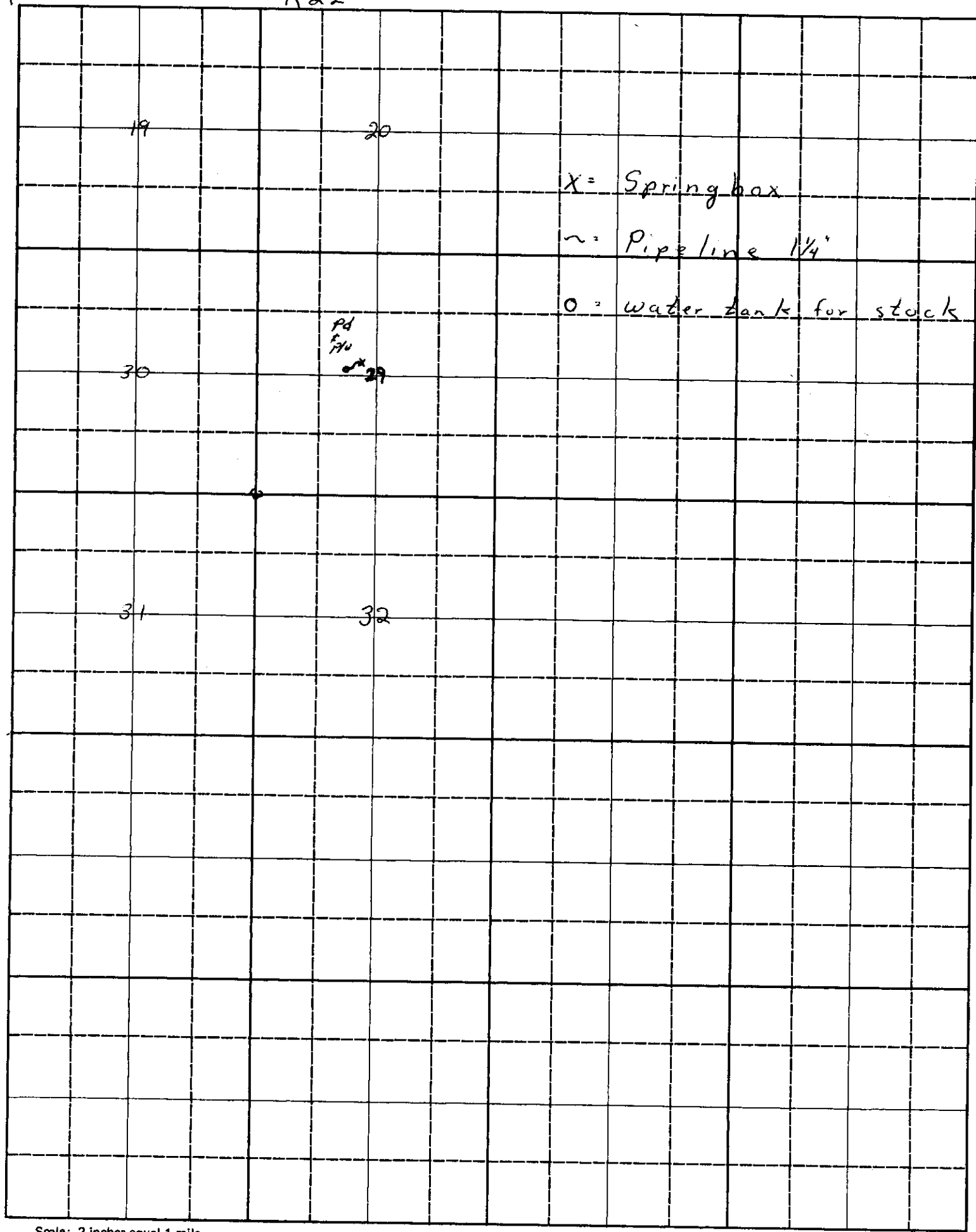
By using this water source, I can utilize my pastures so as to reduce erosion from overgrazing other portions of my pasture.



11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T37N

R2E



Scale: 2 inches equal 1 mile.

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

Howard E. Bird
(Applicant)

RECEIVED
JUN 11 1977

Proposed Priority 3/11/1983
Received by [Signature] Date 3/11/83 Time 12:00 pm
Preliminary check by [Signature] Fee \$ 30.00
Receipted by [Signature] Date 3/11/83 (24980)
Publication prepared by [Signature] Date 3/17/83
Published in Clearwater Tribune
Publication dates 3/24 ~ 3/31/83
Publication approved [Signature] Date 4/13/83
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by [Signature] [Signature]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 83-7068, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 9th day of May, 19 83.

[Signature]
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Application for

Water Right - H. Bird 83-7068

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 21st day of March, 19 83, and ending on the 31st day of March, 19 83.

Subscribed and sworn to before me this 31st day of March, 19 83

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

Department of Water Resources
Northern District Office

APR 12 1983

RECEIVED



OK
4/13/83

HOWARD E. BIRD
4063 CANYON CREEK RD.
OROFINO, ID 83544

November 9, 1987

RE: Permit No. 83-7068

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
AUG 2 1985

73-7068
Permit No.

Department of Water Resources

1. **Measurement Calculations**

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

Est. 0.05

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

150 head stock → 2.7 AFA/TABLE

2. **Overlap Review**

- a) Other water rights with same place of use: *None*

- b) Other water rights with same point of diversion: *None*

- c) Analysis:

MICROFILMED

MAR 16 1988

RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|-----------|--------|-----------|----------------------|-----------------|
| 83-7068 | 3/11/83 ✓ | 0.05 ✓ | 3/11/83 ✓ | 7/1/84 | 0.05 ✓ |

4. Permit Holder: Howard E. Bird

Address: 4063 Canyon Creek Rd Orofino, Id 83544

5. Source: Spring tributary to Sinks

6. Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Stock ✓	1/1	12/31 ✓	0.05 ✓	2.7 ✓

Allowable Maximums: 0.05 ✓ 2.7 ✓

7. Point(s) of Diversion:

[illegible]

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks: _____

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature A. Beard

Checked in Regional Office by Dr. H. J. Haynes

Approved in State Office by Ron Howerton

Date 6/19/85

Date 7/29/83

Date 10-19-87

MICROFILMED

MAR 16 1988

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ **Photo of Diversion & System Attached**
- ☐ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks

15. Recommended Amendments
- ☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None
- ☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

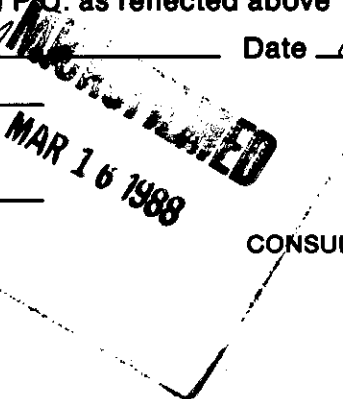
16. Examiner's/Consultant's Signature L Beard Date 6/19/85

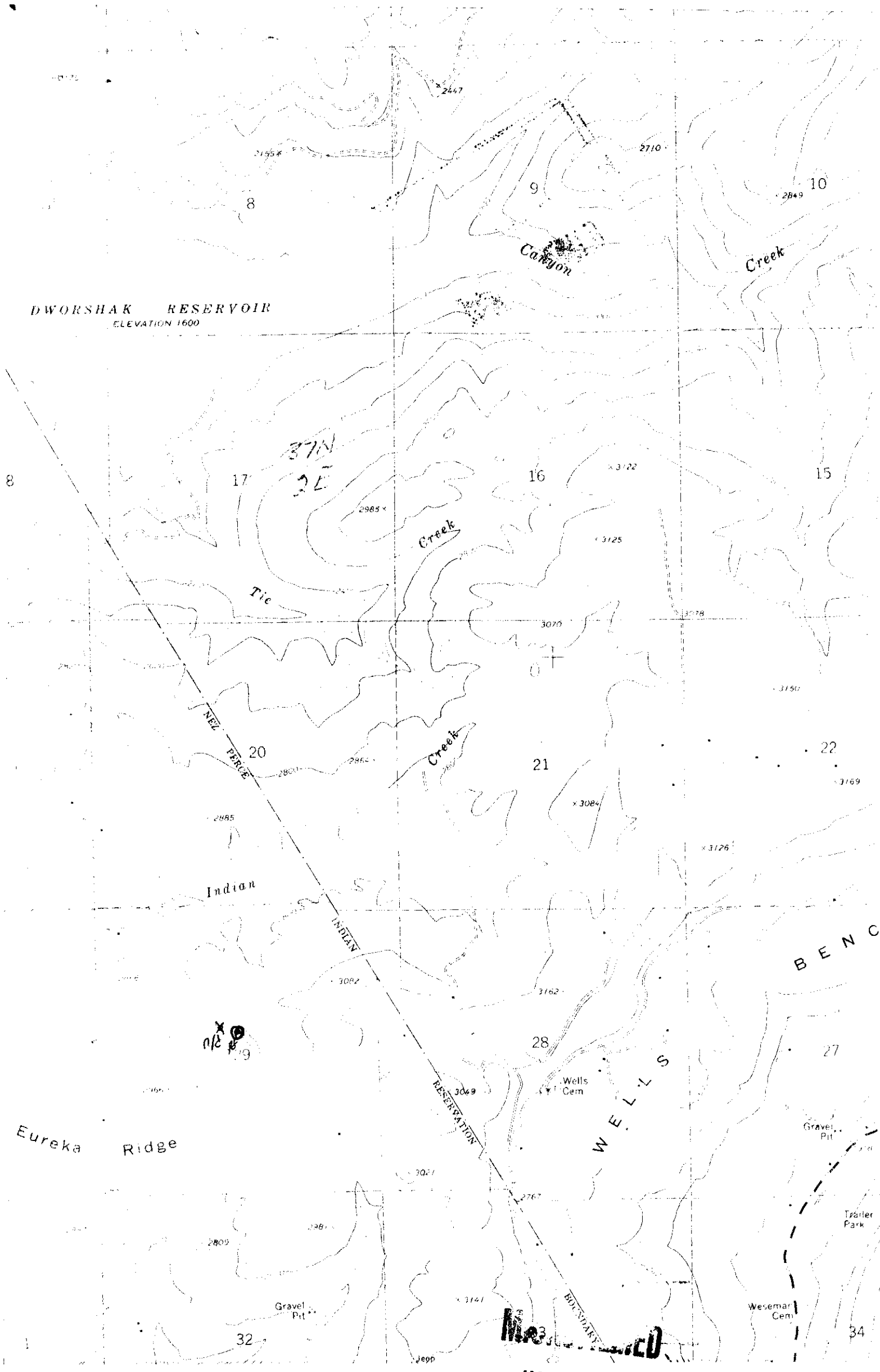
Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination 5/17/85 Date _____

Date





MAR 16 1988

37N RGE, 2E SEC, 29 MAP # K-59 MAP SCALE: 7 1/2
DATE OF FIELD EXAM FIELD REPORT MAP PERMIT # 83-7068

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

JULY 31, 1984

HOWARD BIRD
4063 CANYON CREEK RD.
DROFIND ID 83544

RE: Permit No. 83-7068

Dear Permit Holder:

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

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

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

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

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

MAILED
MAR 16 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below on permit No. 83-7068.

Name(s) of Permit Holder: Howard E. Bird

Post Office Address: 4063 Canyon Creek Rd.

Orofino, ID. 83544 Tel. No. 476-4100

Source of Water: DA

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

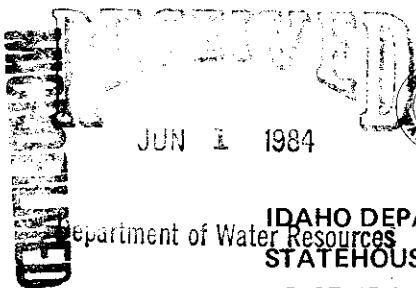
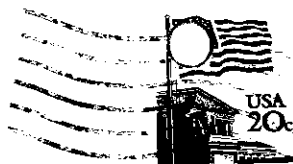
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

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

5/28/84
Date

Howard E. Bird
Signature of Permit Holder

2-A RANCH
HOWARD & GAYLE BIRD
4062 CANYON CREEK ROAD
OROFINO, IDAHO 83544



JUN 1 1984

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138625

BIRD, HOWARD E.
RT. 3 BOX 112A
CROFINO, ID 83544

PROOF DUE NOTICE

MARCH 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 83-7068 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

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

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MAY 25, 1983

DEAR PERMIT HOLDER:

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

STATE OF IDAHO

Department of Water Resources

No. 24980

Boise, Idaho, 3/11, 1983

RECEIVED
FROM

Gayle Burt
Hinrich

of Progers, Id.
20/100

\$ 90.00

DOLLARS

ch# 92-91

FOR

1 Ag
2 Plani

\$ 30 00

\$ 60 00

\$

\$

90 00

TOTAL

\$

[Signature]

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: LB

APPLICATION NUMBER: 83-7068

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☒ No In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: 4/1/83 ✓
Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/12/83 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☒ Yes ☐ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
3/11/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

STATE OFFICE REVIEW:

By: RJA Date: 4/20/83

- ☐ See attached sheet for more information.

By: RJA Date: 5/5/83

RECEIVED
MAY 04 1983

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

83-2068-

BIRD, HOWARD E.

RT. 3 BOX 112A, OROFINO, ID 83544

Source: SPRING trib. to SINKS

Date Filed: 03/11/1983

Diversion Pt: SENW Sec 29 T 37N R 02E

Use: STOCKWATER (0.05 CFS)

In: SENW Sec 29 T 37N R 02E

RECEIVED
FBI
MAY 11 1983
FBI
MAY 11 1983

3/79

IDENT. NO. 83-7068

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

WATER RIGHT
DATA ENTRY LOG

[illegible]