

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

Scale: 2 inches equal 1 mile.

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

David A. Cuddy
Carolyn Cuddy

Leonard Cole

(Applicant)

Virginia Cole

MICROFILMED

Subscribed and sworn to before me this 13th day of April, 1981

Ernest A. Tabor

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

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 23rd day of April, 1981, and ending on the 30th day of April, 1981

Nancy Noble

Subscribed and sworn to before me this 7th day of May, 1981

Betty E. Knight

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

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

83-7052

Cuddy, Charles &/or David
P.O. Box 64, Orofino, ID
83544

Source: Spring tributary to
Clearwater River, North Fork
Date Filed: 04/15/1981

Amount: 0.06 CFS

Diversion Point: NWSE Sec
02 T 37N R 01E, Clearwater
Co.

Use: Domestic (0.06 CFS)
from 01/01 to 12/31

Place of Use: NWSE SWSE
Sec 02 T 37N R 01E

Diversion Means: Collection
Box and Pipeline.

83-7053

Cole, Leonard &/or Virginia
3101 5th St., Lewiston, ID
83501

Source: Spring tributary to
Clearwater River, North Fork
Date Filed: 04/15/1981

Amount: 0.10 CFS

Diversion Point: NWSE Sec
02 T 37N R 01E, Clearwater
Co.

Use: Domestic (0.10 CFS)
from 01/01 to 12/31

Place of Use: SWSE NWSE
Sec. 02 T 37N R 01E

Diversion Means: Collection
Box and Pipeline.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, ID 83814 on or before May 11, 1981.

C. STEPHEN ALLRED
Director
4-23,30c

MICROFILMED

RECEIVED
MAY 13 1981

Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

NOV 3 1988

A. GENERAL INFORMATION

Permit No. 83-7053

1. Owner: Leonard and/or Virginia Cole Phone No. 743-7064

Current Address: Box 283 Lewiston, Idaho 83501

2. Accompanied by: _____ EXAM. DATE: 8-5-87

Address: SAME Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to N. Fork Clearwater River

B. OVERLAP REVIEW

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

☐ Copies Attached

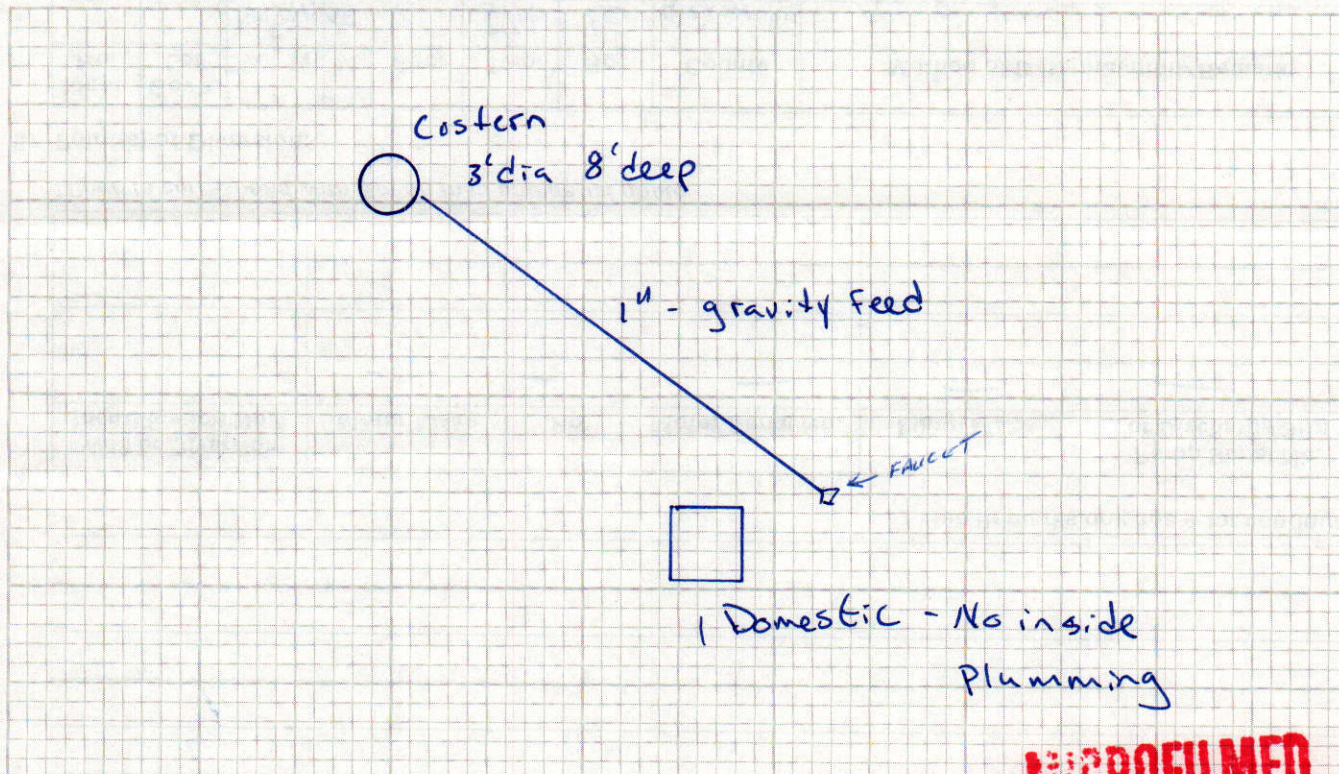
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NIS

MICROFILMED

NOV 24 1989

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

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

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

REMARKS / PHOTOS

PERMIT # 83-7053

DATE

INITIALS



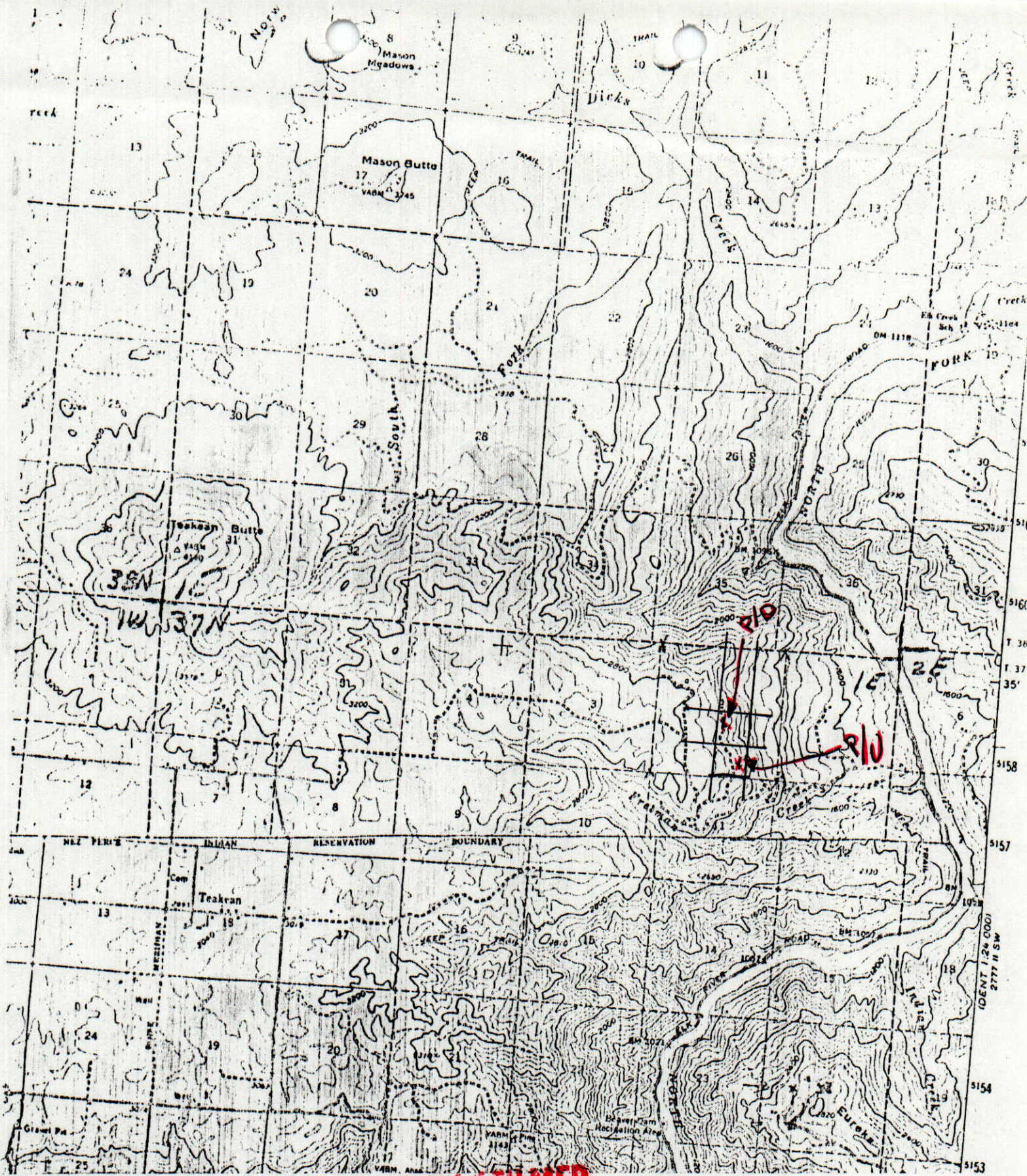
P/U
~~AA~~ Cabin
NO inside plumbing



P/U
Cistern — ~~AA~~

RECORDED

JULY 4 1989



T 37 N

R 1E **MICROFILMED**

SEL. 02

83-7053

NOV 24 1989

EXAM DATE - 8-5-87

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☐ Show to whom, date and address of delivery.
 2. ☐ Restricted Delivery.

3. Article Addressed to:

ID Dept Water Resources
 Coeur d'Alene ID 83810

4. Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

P-465-697-775

Always obtain signature of addressee or agent and
DATE DELIVERED.

5. Signature - Addressee

X *B. D. Haynes*

6. Signature - Agent

X

7. Date of Delivery

5-22-86 *JZ*

8. Addressee's Address (ONLY if requested and for paid)

DOMESTIC RETURN RECEIPT

P 465 693 331

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1985-480-794

PS Form 3800, June 1985

Sent to	ID Water Resources	
Street and No		
P.O. State and ZIP Code	Coeur d'Alene ID 83810	
Postage	\$	22
Certified Fee		75
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt showing to whom and Date Delivered		70
Return Receipt showing to whom, Date, and Address of Delivery		
Total Postage and Fees	\$	167

**MICROFILMED**

NOV 24 1989

and range

Spring

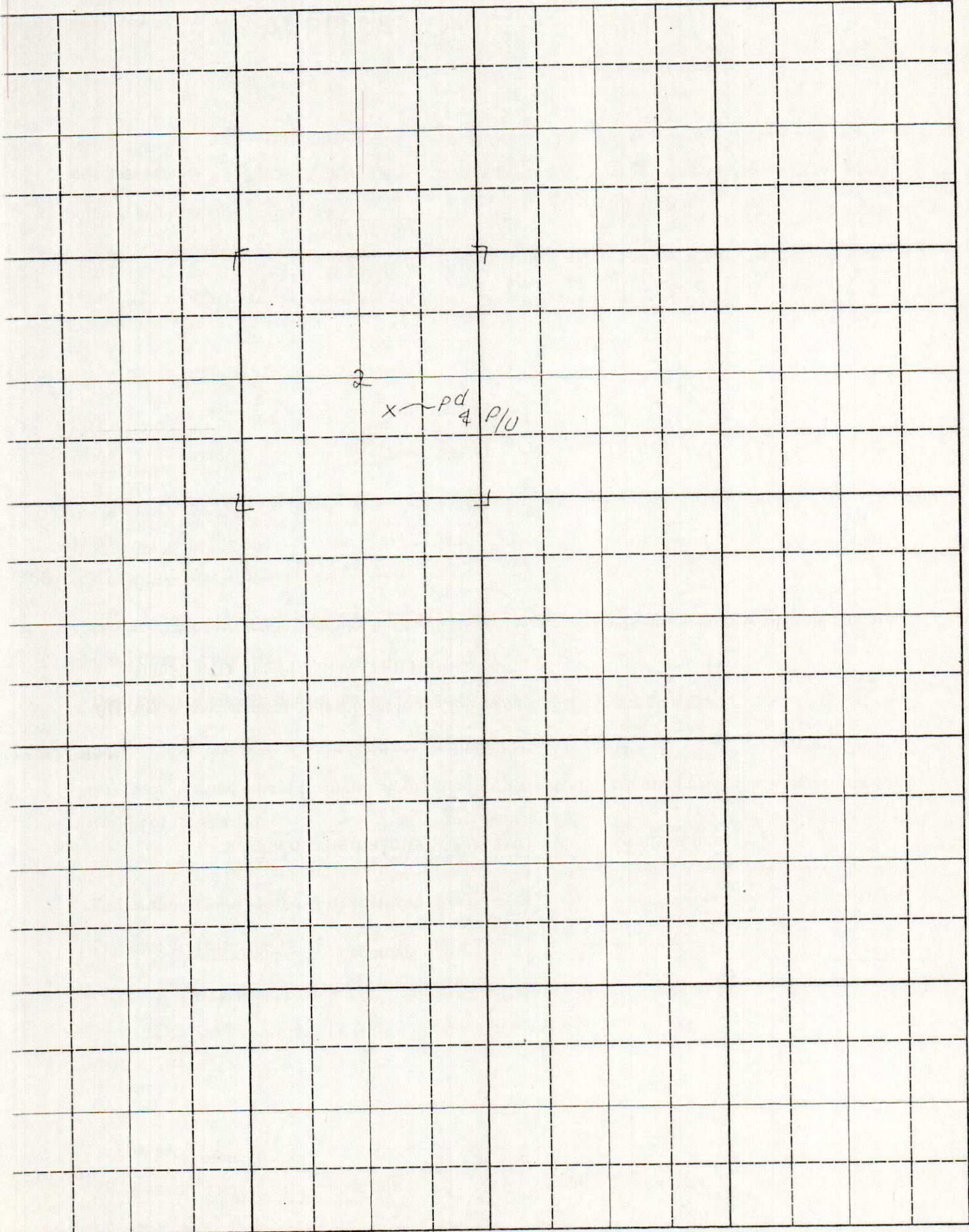
②

①

1. Cuddy-Cole Joint Property
2. Charles Cuddy, Dave Cuddy et al

19th day of March, 1981.
Bruce A. Tostert
Notary Public, Lewiston, Idaho

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



Scale: 2 inches equal 1 mile.

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

(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 83-07053

Priority: April 15, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.04 CFS
0.6 AF

This is to certify, that LEONARD COLE
VIRGINIA COLE

P.O. BOX 283

LEWISTON, ID 835010000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 15, 1981; and has submitted Proof of Beneficial Use on March 24, 1986. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

SPRING

tributary to CLEARWATER RIVER, NORTH FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: NWNWSE, Sec. 2, Township 37N, Range 01E
CLEARWATER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

37N 01E 2 SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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 16TH day of NOVEMBER, 1989.

MICROFILMED

NOV 24 1989

Acting for

R. Keith Higginson, 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 Leonard and/or Virginia Cole Phone 743-7064

Post office address 3101 5th Lewiston, Id 83501

2. Source of water supply Spring which is a tributary of N.E.K. Clearwater River
100 (600 ft NE of SW corner)

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 37N

Range 1E B.M. Clearwater County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 for Domestic 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. 0.10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. collection box and
pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____, inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2, T37N, R1E &
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 37N
Range 1E 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 _____

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

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

MICROFILMED

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

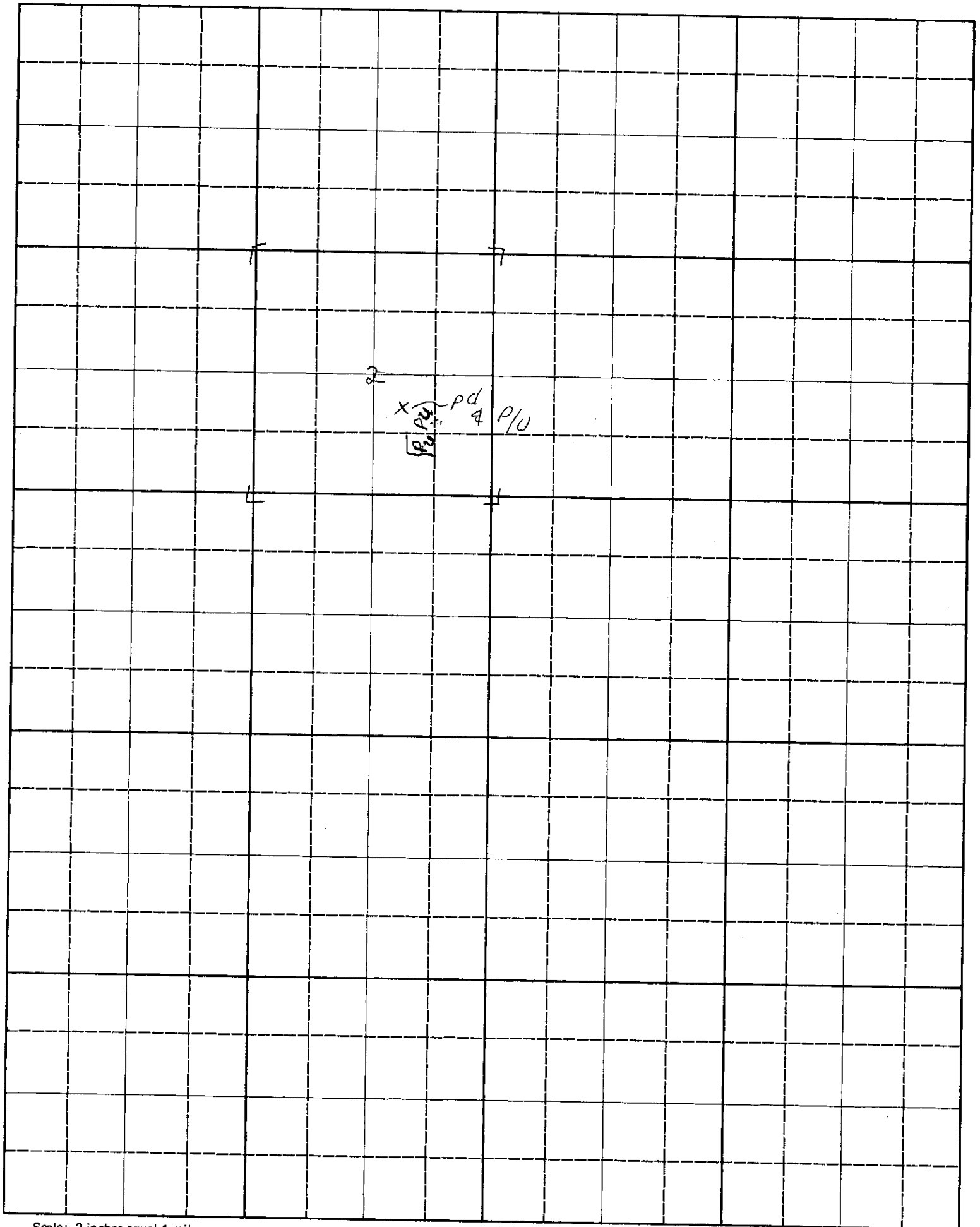
Total number of acres to be irrigated

App # 83-7052

9. a. Who owns the property at the point of diversion David Cuddy and Leonard Cole
b. Who owns the land to be irrigated or place of use David Cuddy and Leonard Cole
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Agreement between owners

10. Remarks Each owner is planning on developing
a seperate spring in the same 40 acre
tract

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



Scale: 2 inches equal 1 mile.

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

David G. Cady
Carolyn Lewis

Leonard Cole
(Applicant)
L. Virginia Cole

MICROFILMED

Subscribed and sworn to before me this 13th day of April, 1981

Bruce A. Tarrant

Proposed Priority 4/15/81

MICROFILMED

Received by ms Date 4/15/81 Time 1:00 PM
Preliminary check by JK Fee \$ 30.00
Receipted by ms Date 4/16/81 (18874)
Publication prepared by ms Date 4/16/81
Published in Cleanwater Tribune
Publication dates 4/23 + 30/81
Publication approved ms Date 5/13/81
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RAH R

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. 83-7053 , 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 May 1 , 19 86 .
 - 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:

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 28th day of May, 1981.

J. Glen Saxton
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

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 23rd day of April, 1981, and ending on the 30th day of April, 1981

Nancy Noble

Subscribed and sworn to before me this 7th day of May, 1981

Betty E. Knight

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

MICROFILMED



RECEIVED

UNITED STATES DISTRICT COURT
Northern District of Idaho

November 16, 1989

LEONARD COLE
VIRGINIA COLE
P.O. BOX 283
LEWISTON, ID 835010000

RE: PERMIT NO. 83-07053

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

NOV 24 1989

October 26, 1989

LEONARD COLE
VIRGINIA COLE
P.O. BOX 283
LEWISTON, ID 835010000

RE: PERMIT NO. 83-07053

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECORDED

NOV 24 1989



POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
8307053	37N	01E	2	NW SE		SPRING	COLE, LEONARD
8304015						UNNAMED STREAM	FERGUSON, NADINE
8307086						GROUNDWATER	ARMITAGE, DOUG D.
8307087						GROUNDWATER	ARMITAGE, DOUG D.
8307052						SPRING	CUDDY, CHARLES

NOV 24 1989

Exam Completed Jennifer Argueta (Signature of Examiner and Date)
Exam Reviewed by Senior Water Resource Agent JE 8/87 (Initial and Date)
Exam Reviewed by Manager of Regional Office RYA 12/27/87 (Initial and Date)
Exam Date Entered in Computer on 12/23/87 (Initial and Date)
Exam Sent to State Office on 12/23/87 (Initial and Date)
Copy of Staff Analysis Sheet Sent to Manager of Regional Office and Original
Refiled in White File (Initial and Date)



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

REMARKS / PHOTOS

PERMIT # 83-7053

DATE	REMARKS / PHOTOS	INITIALS
12/30/86	Boise has Exam Form - Mixup somewhere Called - will not be home till 5:30 or so	J.A.
12/31/86	Called again - he will return call	J.A.
12/31/86	2:30 - he returned call - matter cleared up - Boise will send Exam Form	J.A.
	Before Doing exam Call and make Appt. - This is a summer cabin	J.A.
8-87	~~George Sales~~ ~~Haven~~ ~~on~~ ~~the~~ ~~store~~ <del> Hwy</del> 8:30 206 9 th ^{follow - 12} through town to 9 th left on left - (2 blocks South ^{on 9th}) - 743-2101 home - 743-7069	J.A.
8/14/87	Legal check - ASSR. OFFICE: Sec 2 37N 1E SWSE Cabin location	J.A.

MICROFILMED

NOV 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 83-7053

1. Owner: Leonard and/or Virginia Cole Phone No. 743-7064

Current Address: Box 283 Lewiston, Idaho 83501

2. Accompanied by: _____ EXAM. DATE: 8-5-87

Address: SAME Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to N. Fork Clearwater River

B. OVERLAP REVIEW

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

☐ Copies Attached

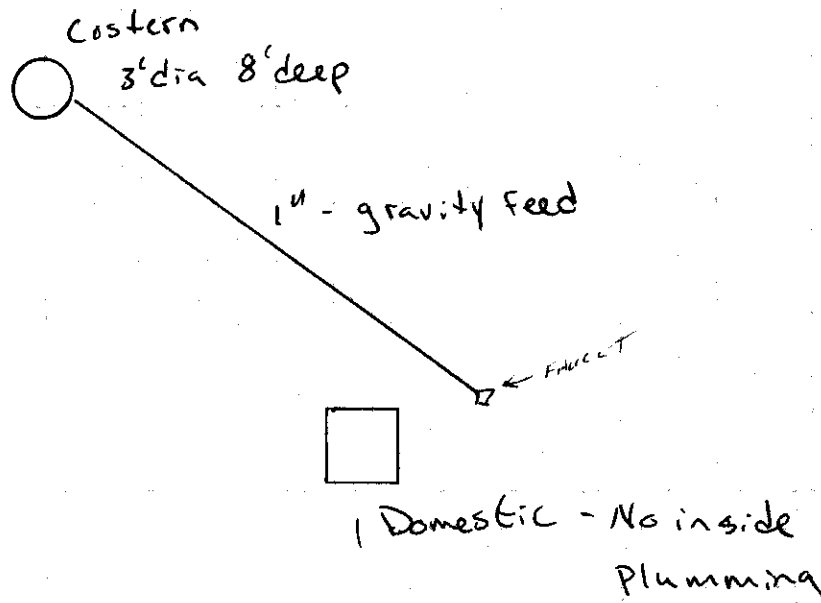
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NIS

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

- ☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)

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

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NOV 24 1989

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

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

collets in cistern ≈ 3 dia & 4 rings 2' each.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

5. Point(s) of Diversion:

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

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

Do not use this space

NOV 27 1961

UNCLASSIFIED

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q_{\text{Domestic}} = .04 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

$$V_{\text{Domestic}} = .6 \text{ AF}$$

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NOV 24 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

NONE

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1-1	12-31	.04 cfs	.6 AF
Totals:			.04 cfs	.6 AF

2. 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

J. AUTHENTICATION

Field Examiner's Name

Jennifer Argraves

Signature

Jennifer Argraves

Certification Date

5/15/87

Field Report Preparation Date

8-5-87



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

JDM 9/11/89

MICROFILMED

NOV 24 1989



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

REMARKS / PHOTOS

PERMIT # 83-7053

DATE

INITIALS



P/U
~~CA~~ Cabin
NO inside plumbing



P/O
Cistern — ~~DA~~

EX-20 FILMED

4 1989



T 37 N

R 1E **MICROFILMED**

SEL 02

83-7053

NOV 24 1989

EXAM DATE - 8-5-87

July 27, 1987

Mr. Leonard Cole
Box 283
Lewiston, Id. 83501

Re: 83-7053

Dear Permit Holder:

We are planning to conduct water right field examinations in the vicinity of your above-referenced Water Permit during the week of August 3, 1987.

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

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

Sincerely,

JENNIFER ARGRAVES
Water Rights Examiner

JA/pms

MICROFILMED

NOV 24 1989

Leonard Cole
3101-554
P.O. Box 283
Lewiston, Idaho 83501

Mr Tom O King
State of Idaho
Department of Water Resources
Northern Region
Suite 9
4055 Government Way
Coeur d'Alene, Idaho 83814

RECEIVED

DEC 30 1986

Department of Water Resources
Northern Region

Dear Sir

Re: Your letter of 12/23/86

I am submitting a copy of the same form that was dated 5-21-86, and also a copy of Certified mail receipts for same. I had submitted this form previously to this but I do not have proper documentation to substantiate it.

I hope with this submittal this matter can be finalized.

If you need more information please request it.

Please advise me at your earliest convenience
Re: the disposition of this matter

MICROFILMED

NOV 24 1989

Sincerely
Leonard Cole

P 465 693 331

RECEIPT FOR CERTIFIED MAIL

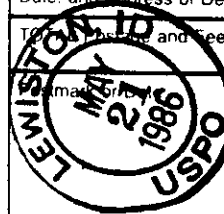
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

★ U.S.G.P.O. 1985-480-794

PS Form 3800, June 1985

Sent ID Water Resources	
Street and No	
P.O. State and ZIP Code Coer d'Alene ID 83816	
Postage	\$ 22
Certified Fee	75
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	70
Return Receipt showing to whom, Date, and Address of Delivery	
Total Postage and Fees	\$ 167



MICROFILMED

NOV 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 83-7053 AND 83-7052

Name(s) of Permit Holder(s): Leonard Cab

Post Office Address: P.O. Box 283

Heidwiler, Idaho 83501 Tel. No. 208-743-7064

☒ I hereby certify that construction of diversion works for the above referenced permit began on 6-18-83 (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works for the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

6-21-83
Date

Leonard Cab
Signature of Permit Holder

PLACE
STAMP
HERE

MICROFILMED
NOV 24 1989



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
JUN 24 1989

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JUN 2 1986

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received N/A

Date

Receipt #

Receipt by

Sent to S.O. 5/23/86

RECEIVED

MAY 22 1986

1. Permit No. 83-7053

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE. Department of Water Resources Northern District Office

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Leonard and/or Virginia Cole

3. Post Office Address: Box 283 - Lewiston, Idaho 83501

Telephone No. 208-743-7064

4. Source of Water: Spring

5. Extent of Use:

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 0-0.04 cfs 0-4 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

July 1984

8. Person to contact to accompany the department representative during the field examination:

Leonard Cole (Name)

3101-5 St - Lewiston, Idaho 83501 (Address) 208-743-7064 (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

5-21-86
Date

Leonard Cole
Signature of Permit Holder (and title, if appropriate)

NOV 24 1989

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State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

Leonard and/or Virginia Cole
Box 283
Lewiston, ID 83501

Re: Permit No. 83-7053

May 12, 1986

CERTIFIED MAIL
138443

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

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

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

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

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

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

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

Northern Region

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

Eastern Region

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

Southern Region

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

Western Region

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

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

MAR 24 1986

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 83-7053

Name(s) of Permit Holder: Leonard M and Virginia Cole

Post Office Address: Box 283 - Lewiston, Idaho

Telephone No. 208-743-7064

Source of Water: Spring

Extent of Use:

Domestic Domestic Use - 2 Dwellings (number of households)

Stockwater Periodically 1-3 Horses (number and type of stock)

Irrigation _____ (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: Sept 1, 1983

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

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

Leonard Cole
(Name)

P.O. Box 283 (3101-55th) Lewiston, Idaho 83501 208-743-7064
(Address) (Telephone Number)

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

3-17-86
Date

Leonard Cole
Signature of Permit Holder (and Title, if appropriate)

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5-12-86
M

Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
FEBRUARY 28, 1986

138910

COLE, LEONARD & VIRGINIA
3101 5TH ST.
LEWISTON, ID 83501

PROOF DUE NOTICE

RE: PERMIT NO. 83-7053

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM 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 WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER A COMPLETED PROOF OF BENEFICIAL USE FORM 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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

COLE, LEONARD & VIRGINIA
3101 5TH ST.
LEWISTON, ID 83501

JUNE 23, 1981

RE: PERMIT NO. 83-7053

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

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

ENCLOSURE

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 83-7053

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ 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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

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: 5/11/81 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5/13/81 ✓
☒ 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? _____
4/15/81 Date of priority recommended.
✓ Special conditions of approval or cover letter. _____

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By: [Signature]

Date: 5/13/81

STATE OFFICE REVIEW:

return receipt w/cover letter

3L w/cond off

- ☐ See attached sheet for more information.

By: [Signature]

Date: 5/27/81

RECEIVED
MAY 18 1981
Department of Water Resources

83-Z053

COLE, LEONARD &/or VIRGINIA

3101 5TH ST., LEWISTON, ID 83501

Source: SPRING tributary to CLEARWATER RIVER, NORTH FORK

Date Filed: 04/15/1981

Amount: 0.10 CFS

Diversion Point: NWSE Sec 02 T 37N R 01E, CLEARWATER Co.

Use: DOMESTIC (0.10 CFS) from 01/01 to 12/31

Place of Use: SWSE NWSE Sec 02 T 37N R 01E

Diversion Means: COLLECTION BOX AND PIPELINE.

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April 8, 1981

Mr. and Mrs. Leonard Cole
2101 5th
Lexington, Idaho 83501

Dear Mr. and Mrs. Cole:

Enclosed is an application for permit I have filled out for you.

Please check all the information for accuracy. If everything is correct, please submit the application along with the \$30.00 filing fee and will begin the processing of your application.

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

Sincerely,

LAWRENCE D. BEARD
Team Safety E.I.T.

BBB/pms

Enc. - Applications (2)

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Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

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

1. Name of applicant Leonard M and Virginia Cole 743-7064
post office address 3101 5th Lewiston, Idaho 83501
2. Source of water supply Spring which is a tributary of stream only which drains into
A 100 ft. NE of the SW corner of N. fork Clw. River
3. a. Location of point of diversion is the W 1/4 of SE 1/4 of Section 2 Township 37 North
Range 1 East B.M. Clearwater County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into same as above at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 cfs for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. via spring box collection system
at spring site and a 1" pipe line approximately 300 feet long at point use.

b. Height of storage dam N/A feet, active reservoir capacity N/A acre feet; total reservoir
capacity 100 gal. acre feet, materials used in storage dam: concrete spring box
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 24 inches; proposed depth of well is 6 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 4 years.
b. Estimated construction cost is \$ 1,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW 1/4 of SE 1/4 of Section 2 Township 37 North
Range 1 East B.M.
(2) Amount of power to be generated: 0 hp under _____ feet of head.
(3) List number of each kind of livestock to be watered periodically 1-3 horses

(4) Name of municipality to be served N/A, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: Domestic use, two dwellings

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

[illegible]

Total number of acres to be irrigated None

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

9. a. Who owns the property at the point of diversion David A. Cuddy et ux and Leonard M Cole et ux.

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Property is jointly owned by David Cuddy et ux and Leona

~~Cole et ux. They are dividing the springs that are on the jointly owned property (see attached application) in favor of Leonard Cole et ux with other springs.~~

10. Remarks Water to be used for family dwellings primarely summer use for two to
three families.

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

1. Cuddy-Cole Joint property
2. Charles Cuddy, Dave Cuddy et al

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.

David C. Cuddy
Caroline Cuddy

Leonard M Cole
(Applicant)

Virginia Lee

Subscribed and sworn to before me this 19th day of March, 1981

19th day of March, 1981.
Bruce A. Ford
 Notary Public, Lewiston, Idaho

Received by BT Date 3/23 Time 3:30
Preliminary check by _____ Fee \$ _____
Receipted by _____ Date _____
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19_____.
- c. Other: _____

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

Witness my hand this _____ day of _____ 19_____.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Leonard and/or Virginia Cole Phone 743-7064
Post office address 3101 5th Lewiston, Id 83501
2. Source of water supply Spring which is a tributary of N Elk Clearwater Riv
(330 ft N of SW corner)
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 37N
Range 1E B.M. Clearwater County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 for Domestic 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. 0.10 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. collection box and
pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 2 Township 37N
Range 1E 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 _____

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

(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:

[illegible]

Total number of acres to be irrigated

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

9. a. Who owns the property at the point of diversion David Cuddy and Leonard Cole

b. Who owns the land to be irrigated or place of use David Cuddy and Leonard Cole

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

10. Remarks Each owner is planning on developing
a separate spring in the same 40 acre
tract

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

A hand-drawn diagram on graph paper. A horizontal line has five points marked with the letters F, 2, 7, L, and 1 from left to right. A vertical line is drawn through point 2. A handwritten note "x - pd 4 p/u" is written next to point 2.

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.

(Applicant)

Received by _____ Date _____ Time _____
Preliminary check by _____ Fee \$ _____
Receipted by _____ Date _____
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
Protests filed by: _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. 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: