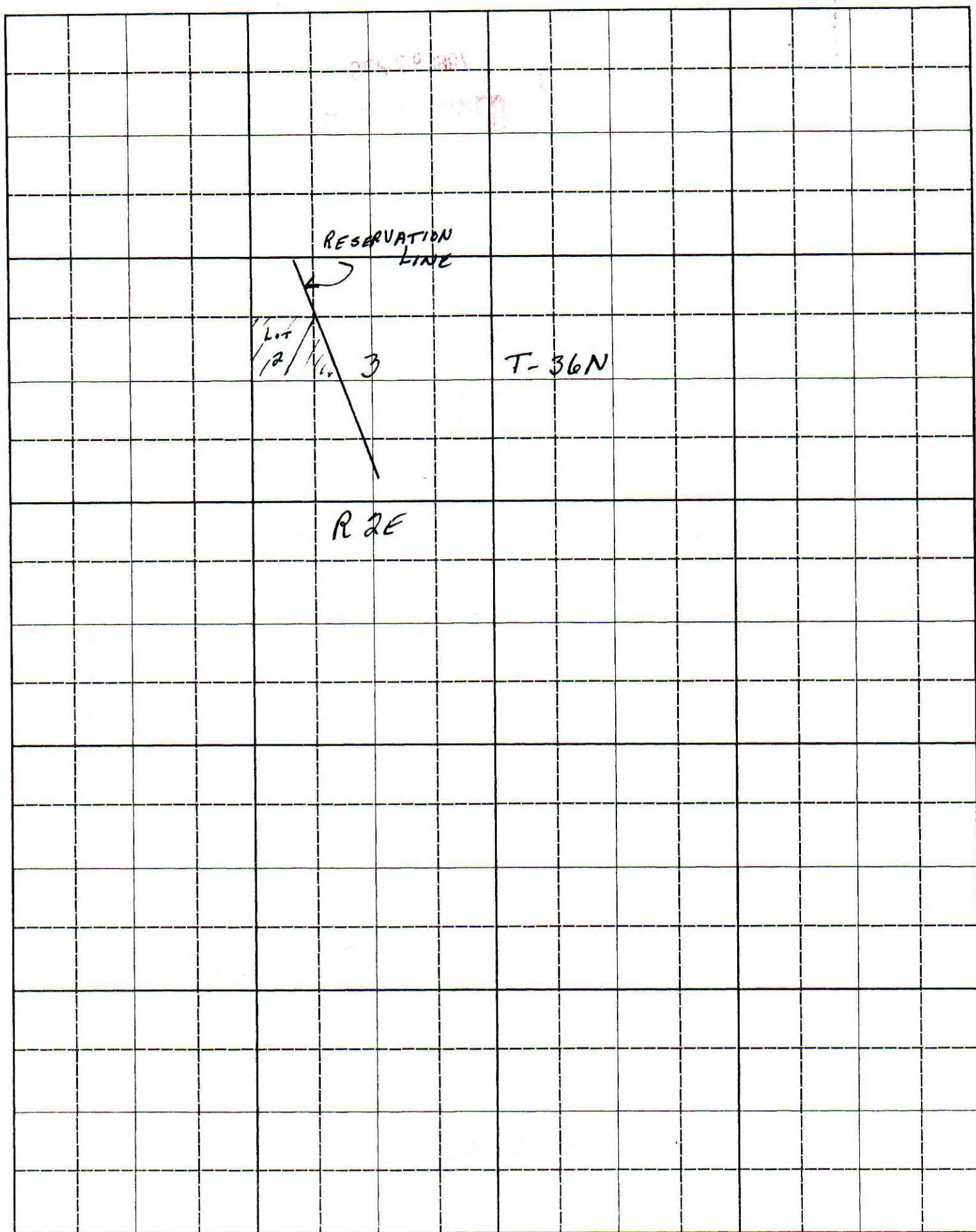


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

SEP 28 1981

William J. Sears by
(Applicant)
Felix M. Sears &
Felix M. Sears

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 - Sears - 84-7188

That said Application

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 3rd day of January, 19 85, and ending on the 10th day of January, 19 85

Subscribed and sworn to before me this 18th day of January, 19 85

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.
84-7188
SEARS, WILLIAM A. &/or RUBY
2630 GRANGEMONT RD.,
OROFINO, ID 83544
Source: Groundwater
Date Filed: 12/24/1984
Division Pt: Lot 02 Sec 03 T 36N R 02E
Use: DOMESTIC 0.10 CFS
In: LOT 02 Sec 03 T 36N 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 Govt. Way, Coeur d'Alene, ID. 83814 on or before January 21, 1984.
KEN DUNN, Dir.
1-3,10c

Handwritten signature and date:
1/29/85

MICROFILMED

SEP 28 1987

RECEIVED

JAN 29 1985

Department of Water Resources
Northern District Office

84-7/88





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

Permit No. 84-7188

A. GENERAL INFORMATION

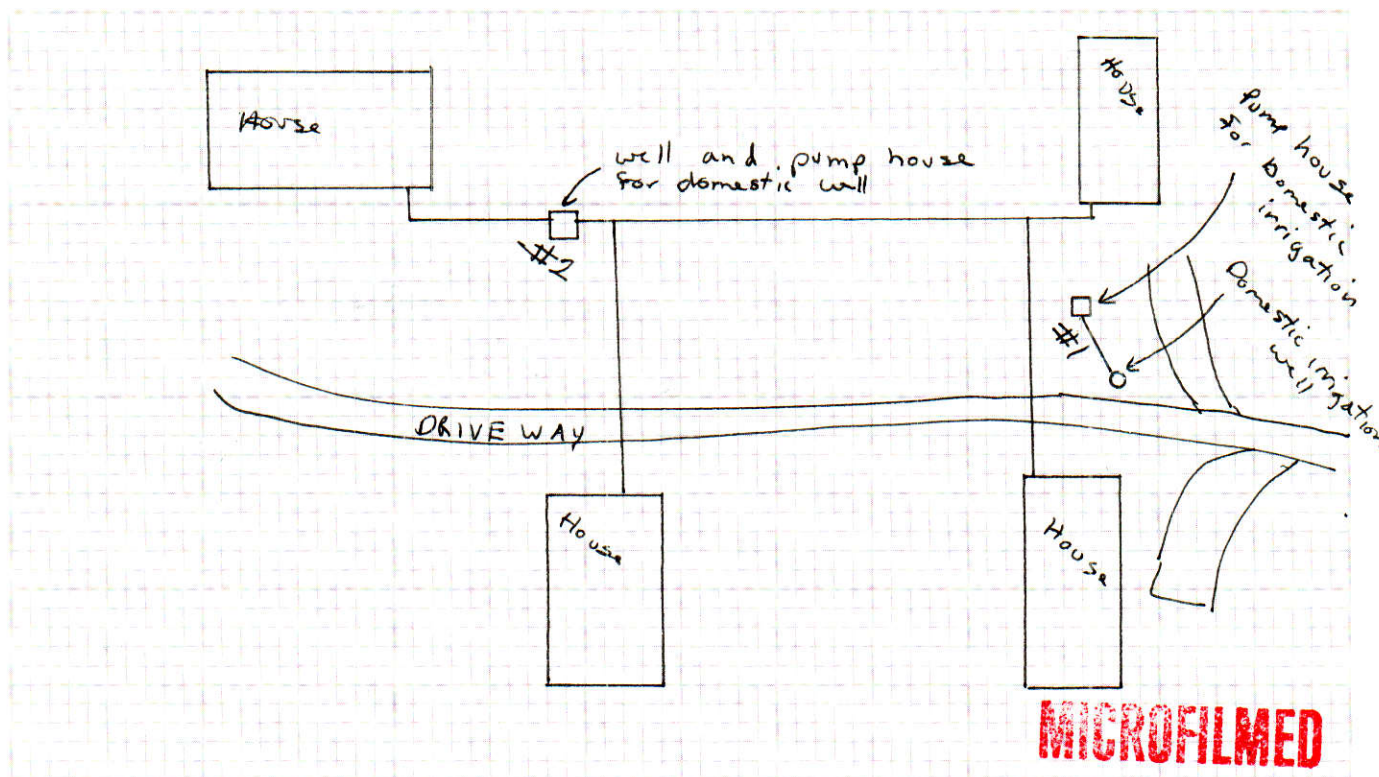
1. Owner: William A Sears and/or Ruby Sears Phone No. 476-3386
Current Address: 2630 Grangerment Road, Orofino Idaho 83541
2. Accompanied by: William Sears EXAM. DATE: 6/13/89
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: groundwater tributary to

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



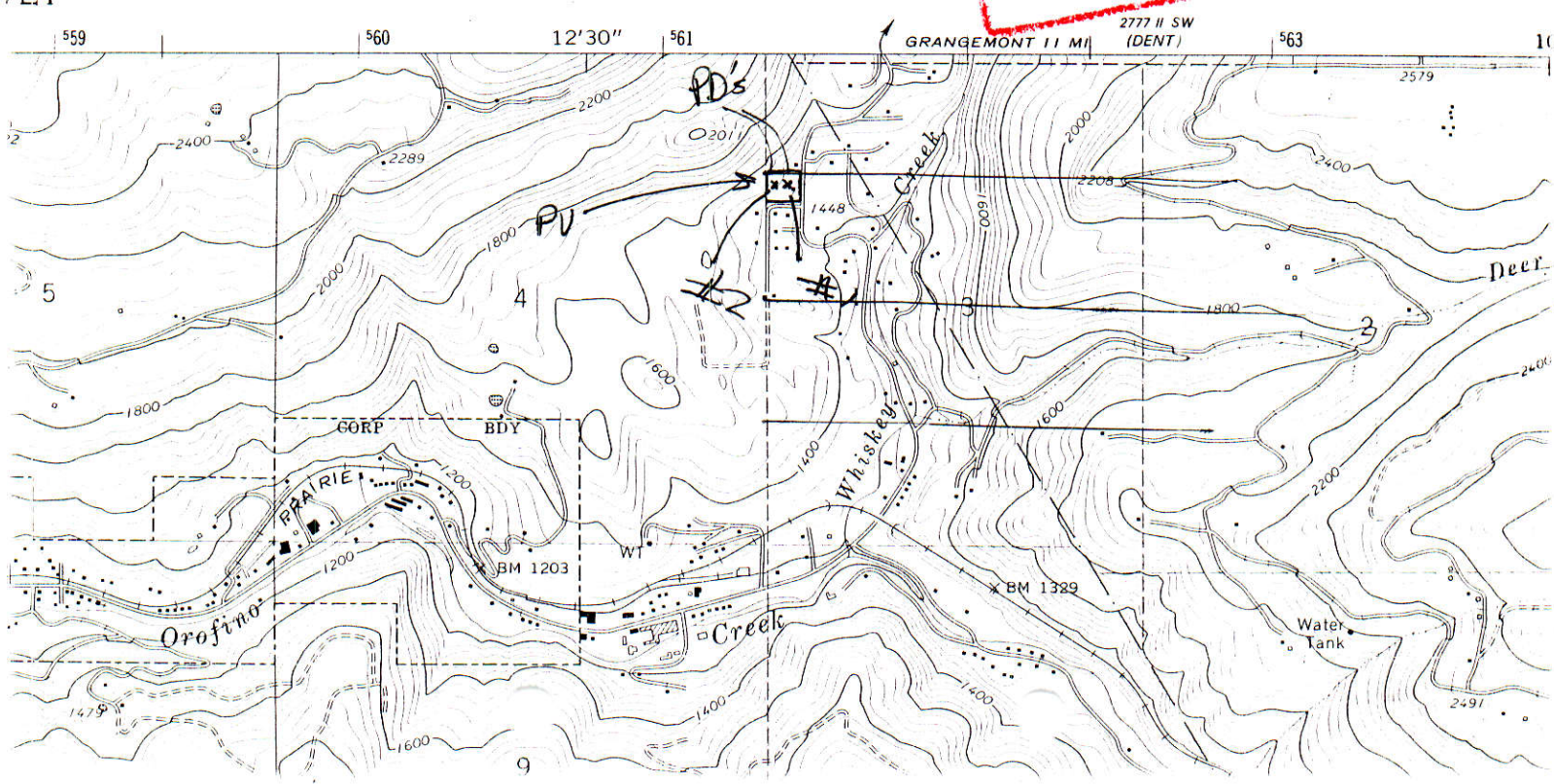
Scale: 1" = 200 ft.

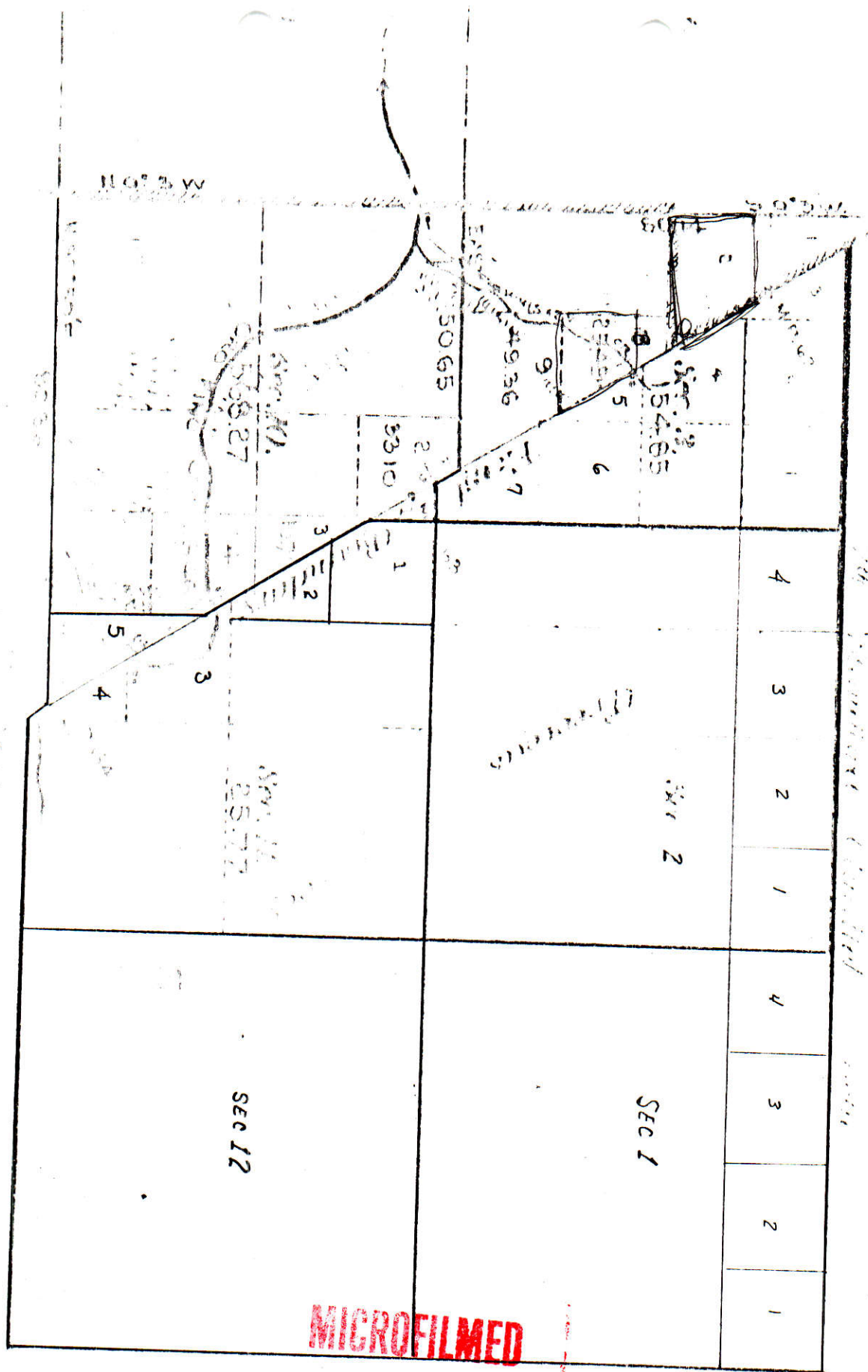
SEP 24 1990

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).

MICROFILMED
SEP 24 1990

3
INTERIOR
/EY





T 36 N
R 2 E

17

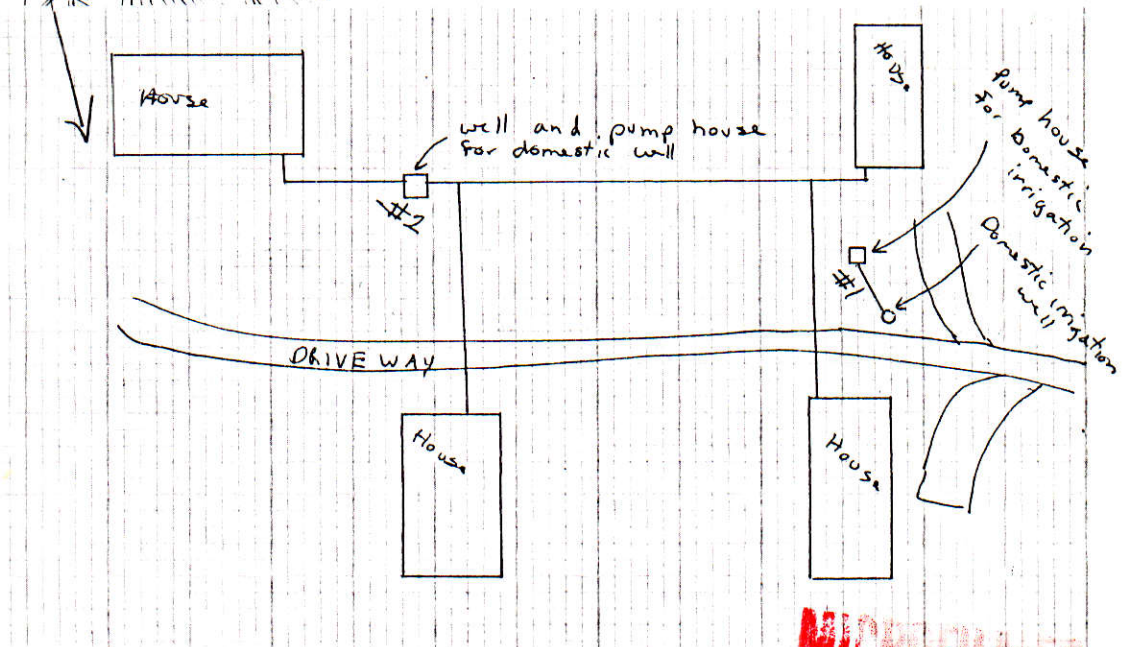
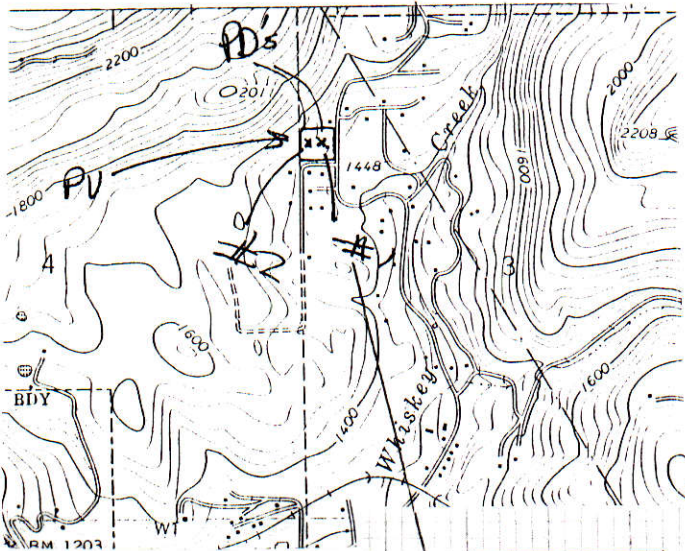
84-7188

MICROFILMED

SEP 24 1990

SCHEMATIC

Provide a schematic diagram showing the location of the well in the quarter-quarter with respect to houses, roads, other wells or readily identifiable features.



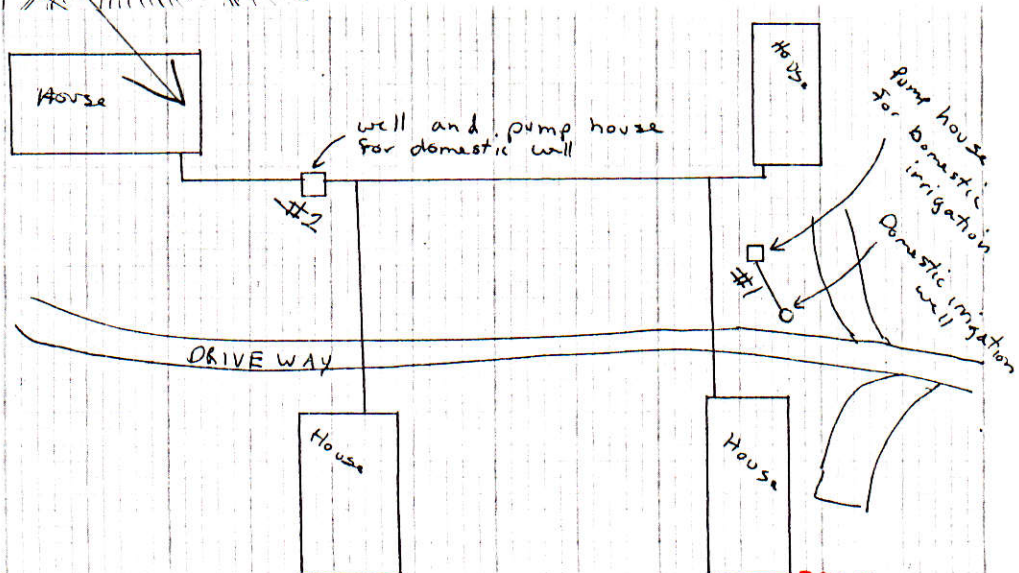
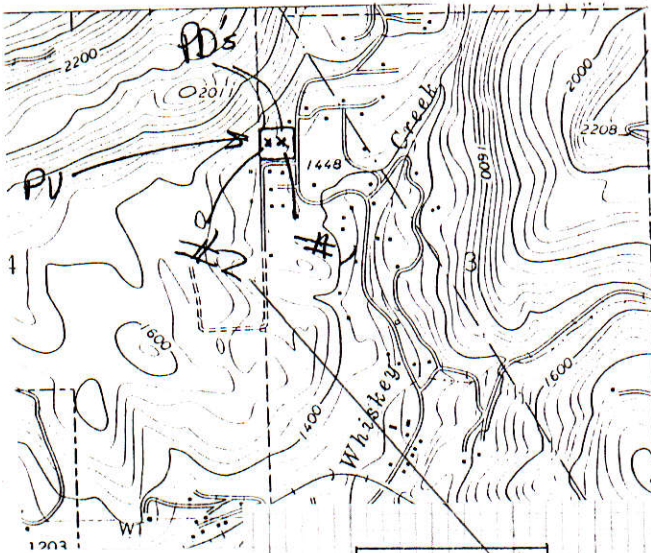
RECEIVED

SEP 24 1990

Inspected by Ben DuPont Date 6/14/89

SCHEMATIC

Provide a schematic diagram showing the location of the well in the quarter-quarter with respect to houses, roads, other wells or readily identifiable features.



MICRO

SEP 24 1990

Inspected by Louis Schwan

Date 6/14/89

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-07188

Priority: December 24, 1984

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.07 CFS
4.8 AF

This is to certify, that WILLIAM A. SEARS
RUBY SEARS

2630 GRANGEMONT RD.
OROFINO, ID 83544

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 24, 1984; and has submitted Proof of Beneficial Use on August 12, 1987. An examination indicates that the works have a diversion capacity of .070 cfs of water from a **GROUNDWATER** 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	0.07 CFS	4.8 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 2(SWNW), Sec. 3, Township 36N, Range 02E
CLEARWATER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

36N 02E 3 LOT 2(SWNW)

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 more accurately describe the beneficial use or to implement accepted standards of diversion and use 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 4 homes.
6. 2 points of diversion located in Lot 2 (SWNW), S3, T36N, R2E.

MICROFILMED

SEP 24 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 84-07188

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 28TH
day of AUGUST, 1990.

Acting for

R. Keith Higginson
R. Keith Higginson, Director

MICROFILMED

SEP 24 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant William A. Sears and/or Ruby Sears Phone 476-3386
Post office address 2630 Grangemont Road, Orofino, Idaho 83544
2. Source of water supply 2 Wells approximately which is a tributary of Not applicable
49 and 51 feet deep
3. Location of point of diversion is Lot 2 West of the Reservation line of Section 3 Town-
ship 36 N, Range 2, E.B.M., Clearwater County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1 CFS 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. .1 cubic feet per second and/or b. N/A acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two pumps from two drilled Wells.

b. Height of storage dam N/A 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 8 and 6 inches; proposed depth of well is 51 & 49 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is Presently 5 years - 2P
completed 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: Lot 2 West of The Reservation Line of Section 3,
Township 36 N, Range 2, E.B.M.

(2) Amount of power to be generated: None horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered None

(4) Name of municipality to be served N/A or number of families to be
supplied with domestic water Five

(5) If water is to be used for other purposes describe: N/A

MICROFILMED

SEP 28 1987

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. _____

9. a. Who owns the property at the point of diversion William A. Sears and Ruby Sears

b. Who owns the land to be irrigated or place of use William A. Sears and Ruby Sears

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

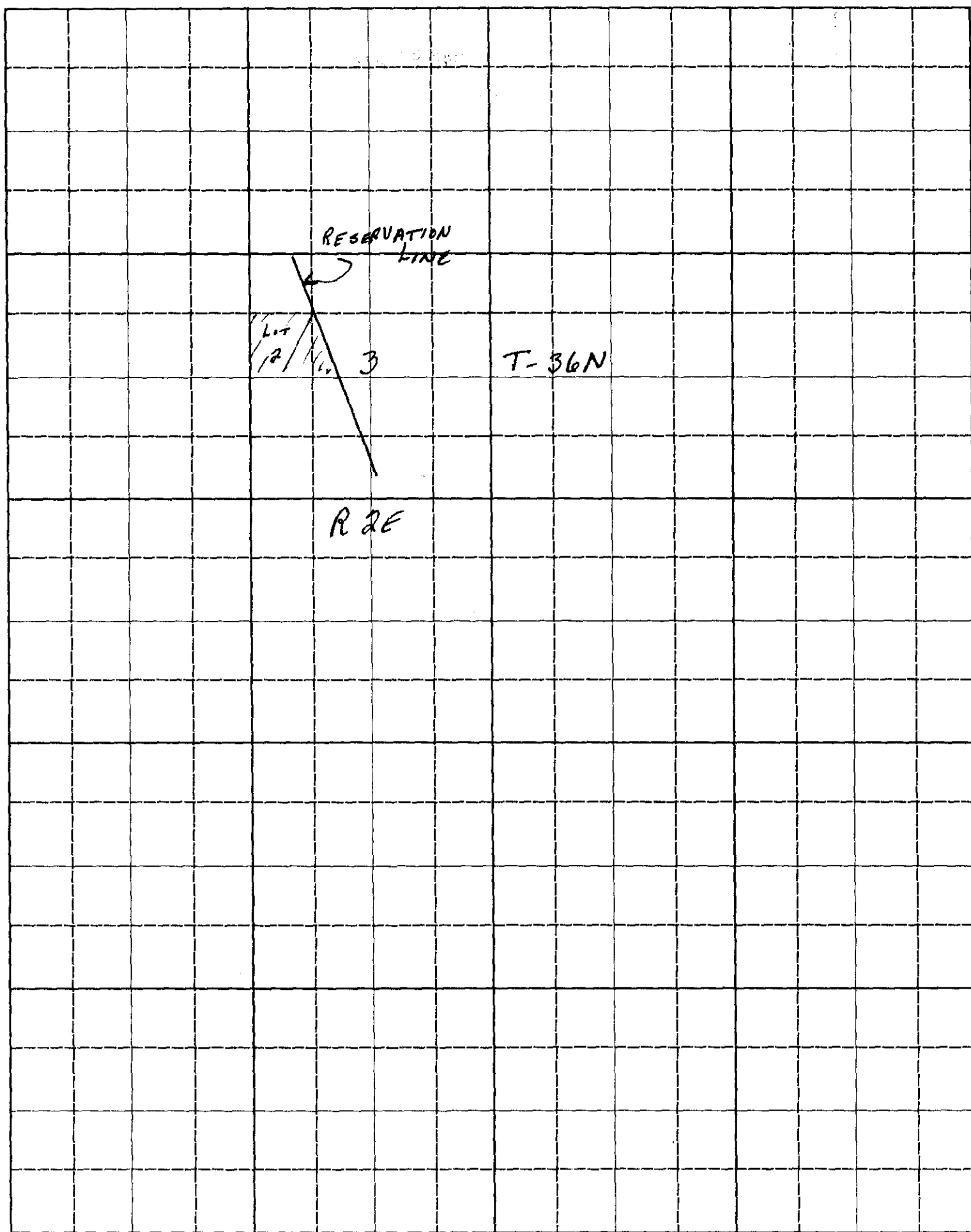
10. Remarks The Two Wells were apparently drilled in 1962 and 1964.

There were no applications for water permits at either time. The water has been used for beneficial uses for at least 20 years.

FILED

SEP 28 1987

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.

MICROFILMED

SEP 28 1981

William R. Sears
(Applicant)
Felix M. Sears &
Felix M. Sears

Proposed Priority 12/24/84

Received by KK Date 12/24/84 Time 1:00 p

Preliminary check by JK Fee \$ 30.00

Receipted by JK Date (31688) 12/26/84

Publication prepared by ms Date 12/27/84

Published in Clearwater Tribune

Publication dates 1/3 & 10/1985

Publication approved ms Date 1/29/85

Protests filed by: Mr. Scott Heyman - Atty. Gen. Kevin M. Murrell - 1/9/85
withdrawn 7/87

Copies of protests forwarded by ms 1/15/85

Hearing held by _____ Date _____

Recommended for approval denial by PJK kw

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. 84-7188, 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 August 1, 19 88.
- 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 20th day of July, 1987.

J. Glen Saxton
Chief, Operations Bureau

RECEIVED

SEP 28 1987

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

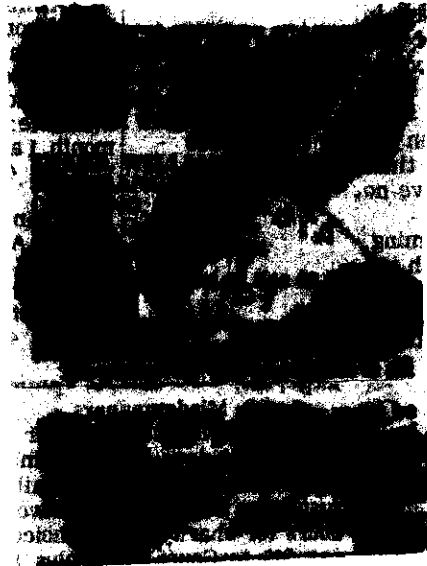
Right - Sears - 84-7188

That said Application

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 3rd day of January, 1985, and ending on the 10th day of January, 1985

Nancy Noble
Subscribed and sworn to before me this 18th day of January, 1985

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



OK
1/29/85

MICROFILMED

SEP 28 1987

RECEIVED

JAN 29 1985

Department of Water Resources
Northern District Office

August 29, 1990

WILLIAM A. SEARS
RUBY SEARS
2630 GRANGEMONT RD.
OROFINO, ID 83544

RE: PERMIT NO. 84-07188

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

SEP 24 1990

August 8, 1990

WILLIAM A. SEARS
RUBY SEARS
2630 GRANGEMONT RD.
OROFINO, ID 83544

RE: PERMIT NO. 84-07188

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

MICROFILMED

SEP 24 1990

SENIOR AGENT REVIEW

Check List
for
Beneficial Use Field Report

Permit 84-718P

A. GENERAL INFORMATION

- ✓ 1. Name and address are most current available. (Check BU statement)
✓ 2. Exam Date
✓ 3. Source (Check Permit)

B. OVERLAP REVIEW

- ✓ 1. & 2. (Rule 5,1,4)

C. SYSTEM DESCRIPTION

- ✓ 1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
✓ 2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17) ~~Department of Water Resources~~
✓ 3. Word Picture (Rule 5,1,3 / 5,1,4)
✓ 4. Diversion (Rule 5,1,3)
✓ 5. Compare with USGS Map, Land Survey Maps, Aerial Photos and Permit. $14 \frac{1}{4}$
✓ 6. Irrigation (Rule 5,1,8)

D. FLOW MEASUREMENTS Check math (Rule 5,1,13 / 5,1,14)

E. FLOW CALCULATIONS Check math (Rule 5,1,13 / 5,1,14)

F. OPTIONAL

G. VOLUME CALCULATIONS

Three significant figures and no more than 1/10's (Rule 6,1,2) $(.04) \times (4) = 16 \text{ cfs} - ?$
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12) VOLUME IS 10 AF

H. REMARKS AND OVERLAP ANALYSES

✓ All actual uses listed; all permitted uses not used, also listed; (Rule 5,1,2):
✓ Overlaps (Rule 5,1,4):
✓ Return flows (Rule 5,1,5):
✓ Conditions (Rule 5,1,6):

I. RECOMMENDATIONS

- ✓ 1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity
(Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14).
Period of year (Rule 5,1,13)
✓ 2. Compare permit to exam for amendments (Rule 5,1,16)

J. AUTHENTICATION

✓ Name, Signature, Certification Date, Exam Date.

WELL INSPECTION REPORT

✓ Check with permit and well log for discrepancies

Signature [Signature]

Date 8/25/89

RECEIVED
MAY 10 1990

84-7188



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT SUPPLEMENT

Yes No

PERMIT 84-7188

(☒) () B/U Acknowledgement Letter Sent 10/16/87 (INITIAL & DATE)

() (☒) Aerial Photo Date Requested 10/16/87 by

(☒) (☒) Quad Sheet

(☒) () GL Plat

(☒) () Copies of overlapping License Field Report Claim

() () Photo PD/PU

() () Correspondence (Date)

() () Other (List)

EXAM COMPLETED BY John Dubois

DATE 6/14/89

SR AGENT REVIEW

DATE

REGIONAL MANAGER REVIEW PSA

DATE 5/4/90

ENTERED ON COMPUTER BY

DATE 5/7/90

PRELIMINARY OVERLAP REVIEW BY J King

DATE 11/87

() NO OVERLAP FOUND

84-4055 - MAKE COPY

84-4274 ~

84-7187 ~ RELINQUISHED

Irrigation
Point of Diversion

Domestic
Point of Diversion

NO FILME

SEP 24 1990

84-7188

MAY 10 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT Department of Water Resources

A. GENERAL INFORMATION

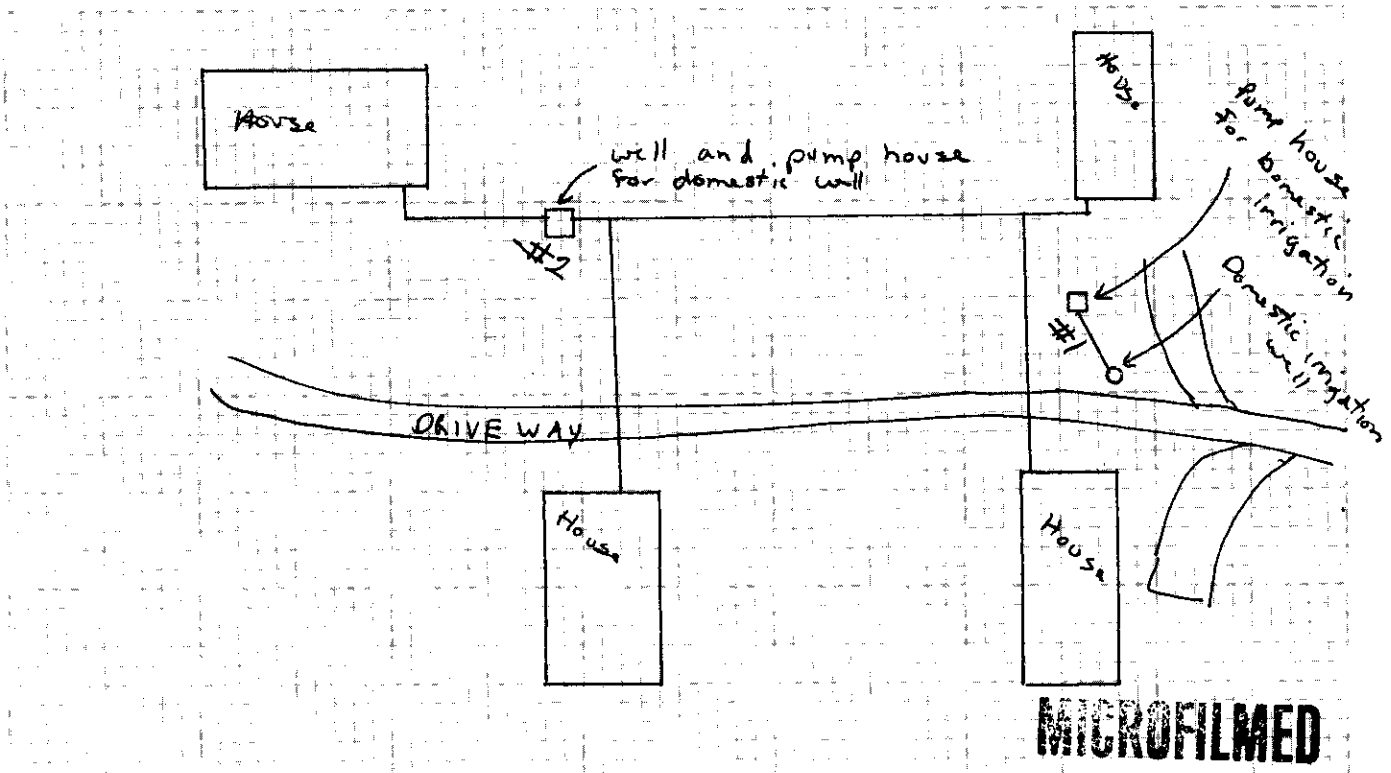
Permit No. 84-7188
1. Owner: William A Sears and/or Ruby Sears Phone No. 776-3386
Current Address: 2630 Grangerment Road, Orofino Idaho 83544
2. Accompanied by: William Sears EXAM. DATE: 6/13/89
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: groundwater tributary to

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" = 100 FT

SEP 24 1990

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).

System Description (continued)

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

Two wells one for domestic irrigation and one for domestic. ~~Well #1~~ Well #1 is for irrigation and is 49' deep and pumped from well to pump house by buried pipe and the distributed to lawns by hose. Well #2 is 51 ft deep and has a submersible pump that pumps via buried line to the four homes.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	Sears	1/3	E68	Sears	3/4"
#2	~~Sears~~	~~1/3~~	~~E68~~		

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1	2		SW	NW	3	36	2E	Clearwater	Map
#2	2		SW	NW	3	36	2E	Clearwater	map

6. Place(s) of Use:

Indicate Method of Determination Map

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	
36N	2E	3							LOT 2										
									D										

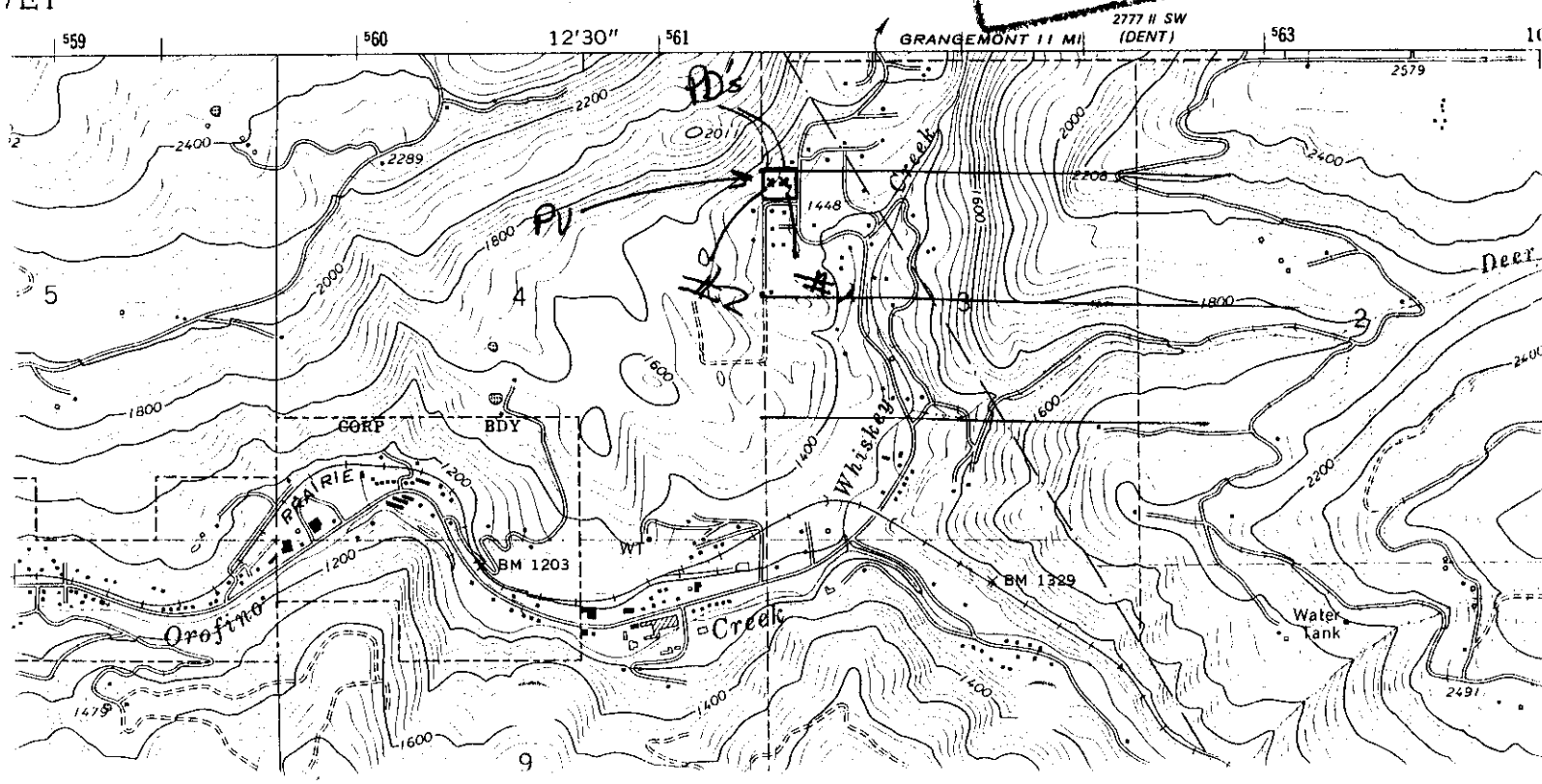
MICROFILMED

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SEP 24 1990

MICROFILMED
SEP 24 1990

3
INTERIOR
/EY



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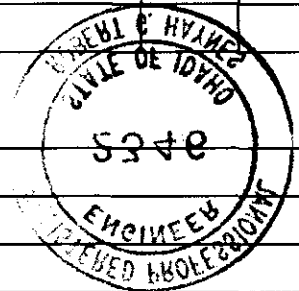
D. FLOW MEASUREMENTS

☐ 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:

Domestic Irrigation capability well $Q = \frac{8.8(1/3)(1.7)}{49} = .04 \text{ cfs}$

2. Alternate Method for Checking Purposes:

Domestic well capability $Q = \frac{8.8(1.7)(1/2)}{20(2.3) \div 51} = .03 \text{ cfs}$

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9836 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Domestic $4(1.2 \text{ afa}) = 4.8 \text{ afa}$

$(.04) \text{ cfs}(4) = .16 \text{ cfs}$ limited by system capability to $.07 \text{ cfs}$

SEP 24 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Note two systems can be connected to produce a total of .07 cfs.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Domestic (4) ^{SK}	1/1	12/31	.07 cfs	4.8 afa
Totals:			.07 cfs	4.8 afa

2. Recommended Amendments

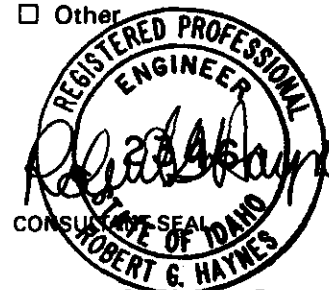
- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name Louis Sukoraty
Signature [Signature]
Certification Date 2/17/89
Field Report Preparation Date 6/14/89



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

MICROFILMED

SEP 24 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Ralph H. Taylor

Box 403 Orofino Ida.

83544

(Name of Claimant)

Telephone No. 476-5207

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 1962

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Wiskey Creek

tributary to

Clearwater River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.04 CFS</u>	Use <u>Dom.</u>	Period of Use From <u>March 15</u>	To <u>Oct 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .04 CFS TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Sec 3 Twp. 36N Rge. 2E B.M., County of Clearwater

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 3/4 HP Pump 1 inch pipe 200 Ft. long.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36	2E	36N	See attached map.																1 Acre

About 1 Acre
No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

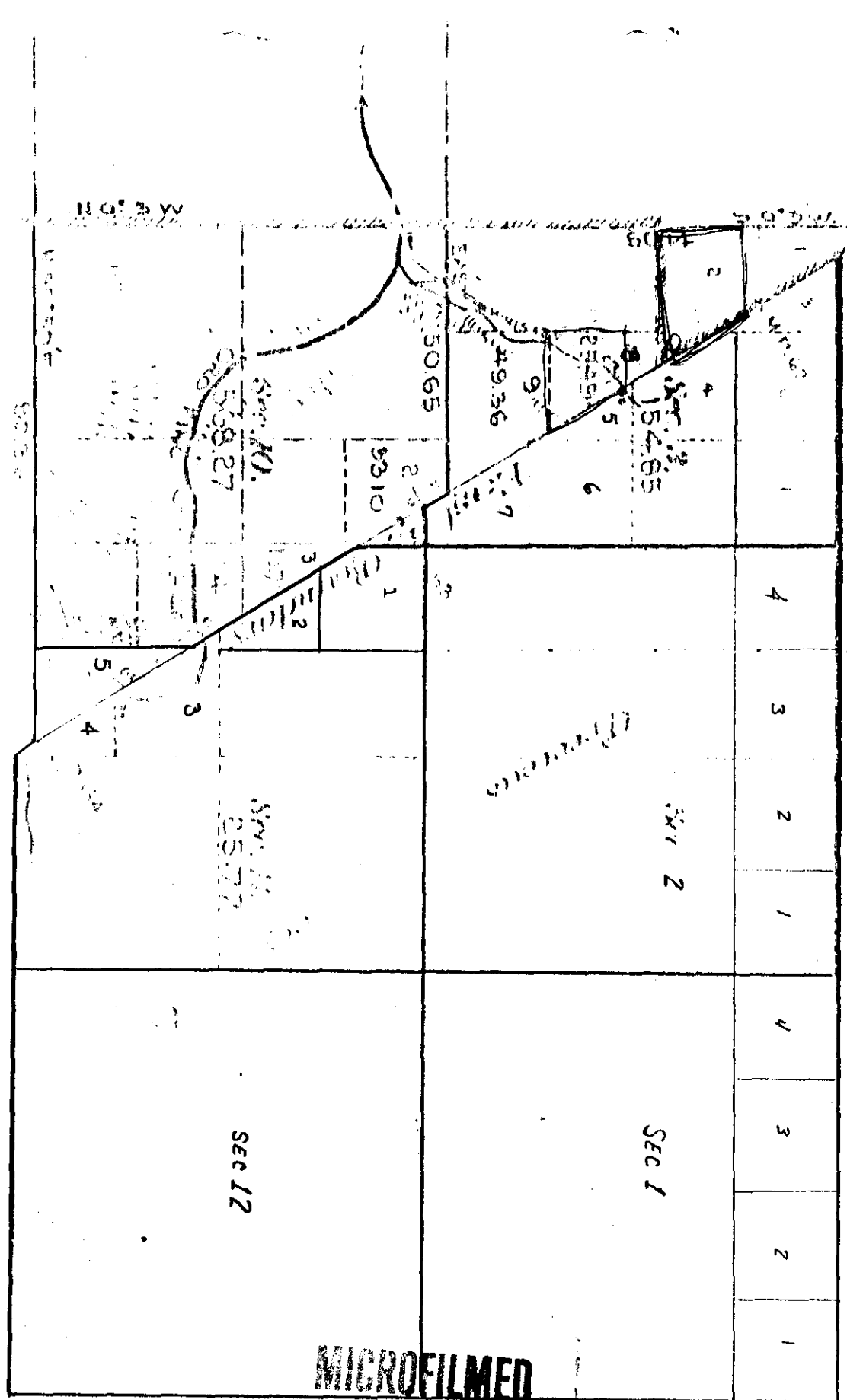
- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

SEP 24 1990

GLZ
W-RES LINE
PDPH

~~SEP 24 1990~~



T 36 N
R 2 E

□

84-7188

MICROFILMED

SEP 24 1980

State of Idaho
Department of Water Resources
WELL INSPECTION FORM

This form should be completed by the examiner when conducting a field examination to determine the extent of beneficial use of water from a well or whenever a well is inspected for other reasons. The form should be forwarded to Groundwater Protection Section in the State Office upon completion.

1. Legal Description of well location. Twp. 36N, Rge. 2E,
Sec. 3, Qtr./Qtr. SWNW or Lot 2
2. Owner William Sears or/c Ruby Sears
Address 2630 Grangermont Road, City Orofino, State Id
3. Approx. date of well construction ?
Well Driller ?
4. Casing: Diameter 6" Condition good
5. Casing length above land surface 1'+
6. Well depth (ft) 49' Flowing Temp.
Access port
7. Condition of piping and valving good
8. Evidence of well seal yes
9. Shut in pressure or static water level ?
10. Evidence of leakage around the casing no
11. Does well need repair no
12. Comments none

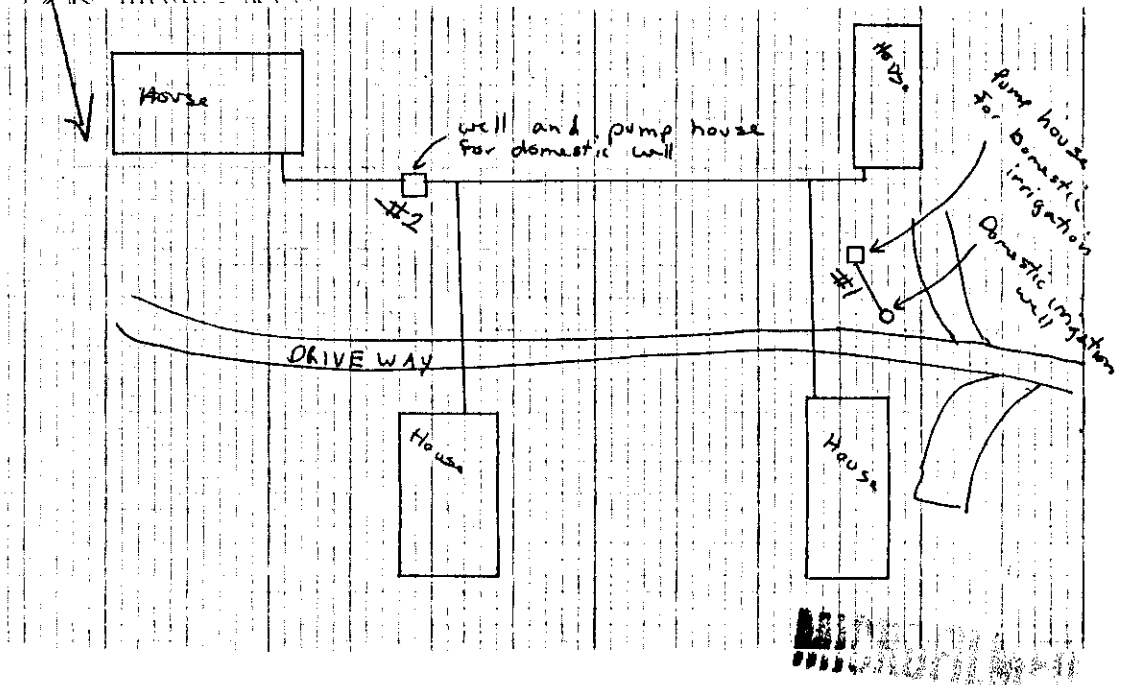
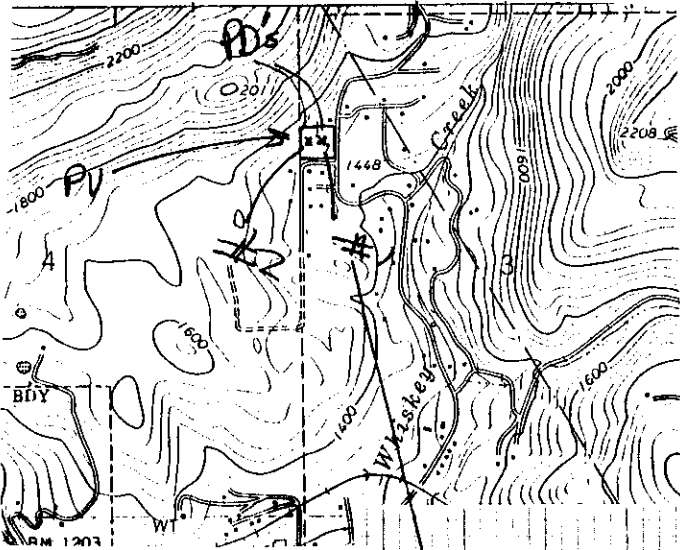
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SEP 24 1990

(OVER)

SCHEMATIC

Provide a schematic diagram showing the location of the well in the quarter-quarter with respect to houses, roads, other wells or readily identifiable features.



SEP 24 1990

Inspected by John DeHart Date 6/14/89

State of Idaho
Department of Water Resources
WELL INSPECTION FORM

This form should be completed by the examiner when conducting a field examination to determine the extent of beneficial use of water from a well or whenever a well is inspected for other reasons. The form should be forwarded to Groundwater Protection Section in the State Office upon completion.

1. Legal Description of well location. Twp. 36N, Rge. 2E,
Sec. 3, Qtr./Qtr. or Lot 2
2. Owner William Sears or/ & Ruby Sears
Address 2630 Grangemont Road City Orofino, State Id
3. Approx. date of well construction ?
Well Driller ?
4. Casing: Diameter 8" Condition good
5. Casing length above land surface ~~1'~~ 1' +
6. Well depth (ft) 51' Flowing — Temp. —
Access port —
7. Condition of piping and valving good
8. Evidence of well seal yes
9. Shut in pressure or static water level ?
10. Evidence of leakage around the casing no
11. Does well need repair no
12. Comments none

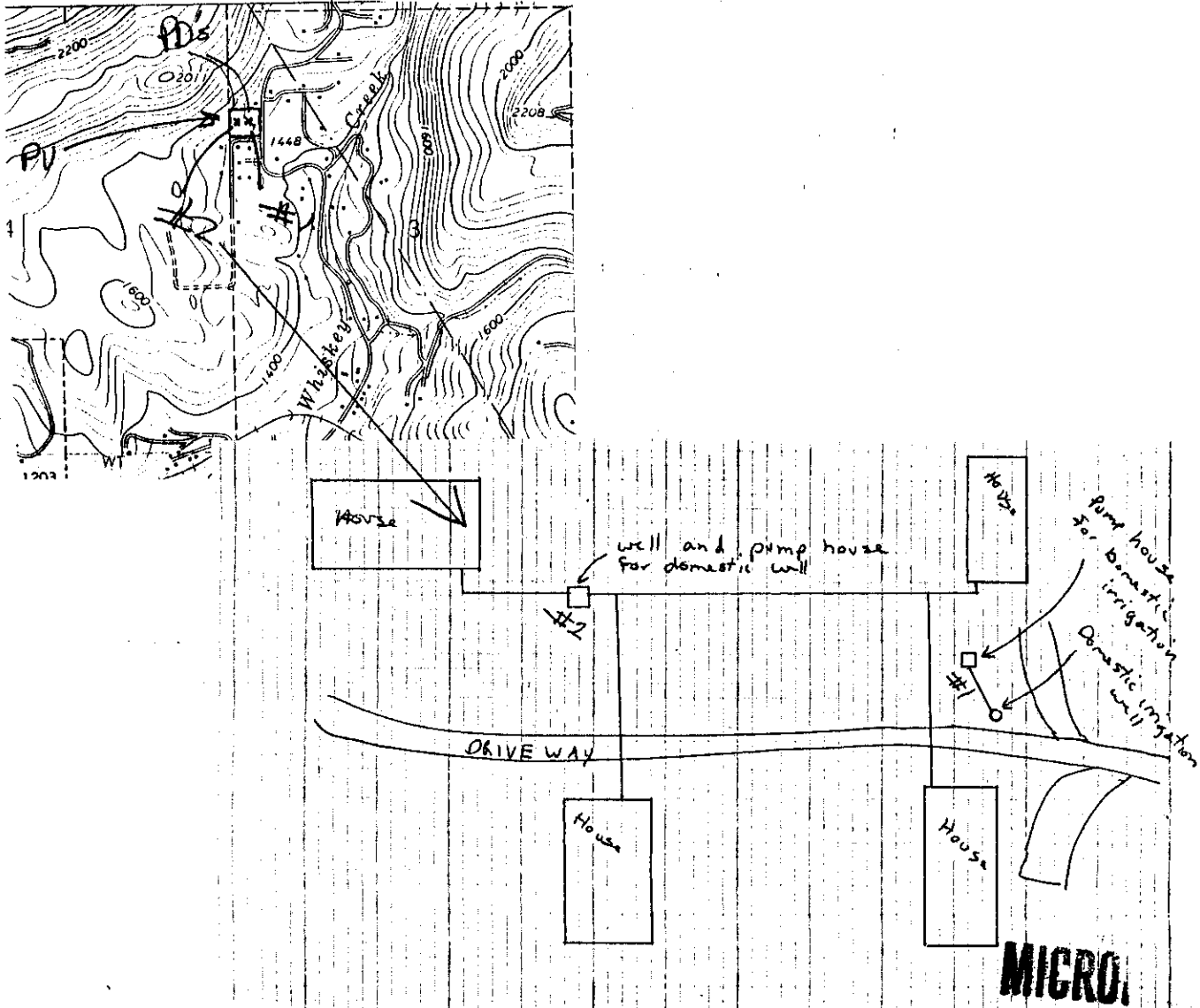
(OVER)

MICROFILMED

SEP 24 1990

SCHEMATIC

Provide a schematic diagram showing the location of the well in the quarter-quarter with respect to houses, roads, other wells or readily identifiable features.



MICRO

SEP 24 1986

Inspected by Louis Jackson

Date 6/14/89

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) 765-4639

OCTOBER 16, 1987

214

WILLIAM SEARS
2630 GRANGEMONT RD.
OROFINO, ID 83544

RE: Permit No. 84-7188

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 or in person.

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

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SEP 24 1990

Form 217
03/86

AUG 12 1987

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received \$100.00
Date 8-13-87
Receipt # 44420
Receipt by JS
Reviewed by JS
Sent to region 8967

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 84-7188

Name(s) of Permit Holder: William A. Sears and/or Ruby Sears ✓

Post Office Address: 2630 Grangemont Road ✓

Orofino, ID 83544 ✓

Telephone No. (208) 476-3386

Source of Water: 2 drilled wells ✓

Extent of Use:

Domestic 5 ✓ (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 1.0 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: July 20, 1987

Measuring Device: Required? Yes X No
Installed? Yes X No

Fee enclosed \$ 100.00 ✓
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes X No
Installed? Yes X No

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

Ruby Sears
(Name)

(208) 476-3386
(Telephone Number)

2630 Grangemont Road, Orofino, Idaho 83544
(Address)

The above information is my true statement of the extent to which the above numbers permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECORDED

SEP 28 1987

August 3, 1987

Date

Ruby M. Sears
Signature of Permit Holder (and title, if appropriate)

Dale O. Cox
COUNSELOR AT LAW

227 College Avenue - P. O. Box 666
Orofino, Idaho 83544

August 4, 1987

RECEIVED
AUG 12 1987

Mr. Gary Spackman
State of Idaho Dept. of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

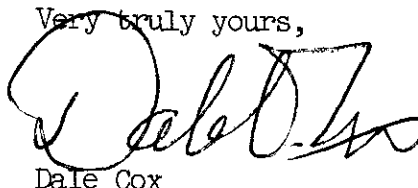
Re: Permit No. 84-7188

Dear Mr. Spackman:

Enclosed please find a completed Proof of Beneficial Use relative to permit number 84-7188 by William A. Sears and Ruby Sears. Also enclosed please find their check in the amount of \$100 for the fee. The water for permit number 84-7188 has been committed to beneficial use and is ready for inspection.

If you have any questions, please let me know.

Very truly yours,


Dale Cox

cs

Enc.

RECORDED

SEP 28 1987

S T A T E O F 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

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
JULY 24, 1987

SFARS, WILLIAM A. & RUBY
2630 GRANGEMONT RD.
OROFINO, ID 83544

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 84-718H

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 "INSTRUCTIONS FOR 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 FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

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SEP 28 1987

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 84-7188

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.
Final date for protests: 1/21/85
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 1/29/85
☒ 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? _____
☒ 12/24/84 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

*file copy
destroyed-*

*are
wells ~~to~~ completed - new G.W. condition does
not apply
allow 1 yr. for B/U development -*

By: RJA
STATE OFFICE REVIEW:

MICROFILMED 7/13/87

L/K

SEP 28 1987

- ☐ See attached sheet for more information.

By: KW

Date: 7/20/87

JUL 20 1987

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant(s)

NAME	ADDRESS
1 Marvin Marcell	Box 2527, Orofino, Id. 83544
2	
3	
4	
5	
6	
7	
8	
9	
10	

ATTORNEY NAME	ADDRESS
Scott Wayman	P. O. Box 1422, Orofino, Id. 83544
protest Date Filed: 1/9/84	Protest Due Date: 1/21/84

Issues: Pending case in district court (2nd Jud. Dist.) involving a dispute over groundwater which is being appropriated under this permit.

Applicant

ATTORNEY NAME	ADDRESS
Mr. Dale O. Cox	P.O. Box 666, Orofino, Id. 83544

DATE
Protest Date Entered on Computer
unknown
Acknowledgement Letters Sent
1/15/85
Hearing Date

(Other Dates)

MICROFILMED

Other Information: SEP 28 1987

Protest information submitted to computer (following hearing): _____

Law Offices

NICK CHENOWETH

Post Office Box 2040

Orofino, Idaho 83544

July 8, 1987

Associate Counsel
Scott Wayman

Riverside Professional Center
Telephone (208) 476-5545

Department of Water Resources
4055 Government Way, No. 9
Coeur d'Alene, ID 83814

ATTN: Robert Haynes

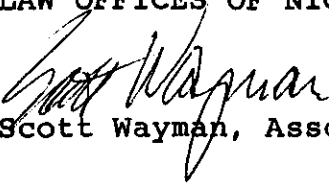
Re: Permit applications number 84-7187 and 84-7188/
Marvin and Sharon Marcell

Mr. Haynes:

Enclosed please find the original of a document
entitled "Withdrawal", signed by Marvin Marcell and Sharon
Marcell.

Respectfully,

LAW OFFICES OF NICK CHENOWETH


Scott Wayman, Associate

SW/bp
Encl.

MICROFILMED

SEP 28 1987

WITHDRAWAL

TO WHOM IT MAY CONCERN:

I hereby withdraw my Application for Permit to Appropriate the Public Waters of the State of Idaho No. 84-7187.

I also withdraw my objection to the issuance of Permit No. 84-7188 in the name of William A. &/or Ruby Sears.

Signed at ORO FENO, IDAHO this 6th day of

July, 1987.

Marvin D. Marcell
Marvin D. Marcell

Sherron M. Marcell
Sherron Marcell

ATTEST:

[Signature]

MICROFILMED

SEP 28 1987

JUN 30 REC'D

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do so 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 additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. and Mrs. William A. Sears
2630 Grangemont Rd.
Orofino, Id. 83544

4. Article Number

14717

Type of Service:

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

Always sign in presence of addressee or agent and **DATE RECEIVED**.

5. Signature — Addressee

William A. Sears

6. Signature — Agent

X

7. Date of Delivery

6-26-87

8. Addressee's Address *ONLY* if requested and fee paid

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE
USE \$300

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9
PROSSER ID 83314

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to complete this space 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 additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Mr. and Mrs. Marvin Marcell
Box 2527
Orofino, Id. 83544

84-7187-8 84-7188

4. Article Number

14716

Type of Service:

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

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature -- Addressee

X *M. Marcell* SEP 28 1987

6. Signature -- Agent

X

8. Addressee's Address (ONLY if Requested and fee paid)

JUN 23 1987

7. Date of Delivery

6-25-87

Department of Water Resources
Northern District Office

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT OFFICE

4055 GOVERNMENT BLVD SUITE #9

COEUR D'ALENE, ID 83814

RECEIVED
SEP 28 1987



PENALTY FOR PRIVATE
USE, \$300

PS Form 3877, July 1978
ACCEPTANCE OF REGISTERED, INSURED, C.O.D. AND CERTIFIED MAIL

NAME AND ADDRESS OF SENDER IDAHO DEPARTMENT OF WATER RESOURCES NORTHERN DISTRICT OFFICE 4055 GOVERNMENT WAY, SUITE #9 COEUR D'ALENE, ID 83814		Indicate type of mail ☐ Registered ☐ Insured ☐ COD ☒ Certified		I certify that we have ☐ Commercial Insurance ☐ A deductible clause of \$		Affix stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT						
1 No.	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE	REMARKS
1	14716	Mr. & Mrs. Marvin Marcell Box 2527, Orofino, Id. 83544	22c	75c				70c				84-7187 & 84-7188
2	14717	Mr. & Mrs. William A. Sears 2630 Grangemont Rd., Orofino, Id. 83544	"	"				"				Not. of Hearing
3												
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13												
14												
15												

COEUR D'ALENE, ID STA. 3
 JUN 24 1987
 1980

RECORDED
 SEP 28 1987

TOTAL NUMBER OF PIECES LISTED BY SENDER 2	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE Two	POSTMASTER, PER (Name of receiving employee) S. Howe	The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.
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STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

June 24, 1987

County Commissioners' Office
Clearwater County Courthouse
Orofino, Id. 83544

Gentlemen:

This is to confirm reservations for a conference and/or hearing to be held by this Department on Tuesday, July 21, 1987, at 11:00 AM in the Civil Defense Room.

If this is not the case, please advise immediately.

Sincerely,

PATRICIA M. STYPA
Secretary/Office Coordinator

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SEP 28 1987

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF)
APPLICATION FOR PERMIT NO. 84-7188 IN THE) NOTICE OF HEARING
NAME OF WILLIAM A. &/OR RUBY SEARS.) AND/OR CONFERENCE

On December 24, 1984, William A. &/or Ruby Sears of Orofino, Idaho, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On January 9, 1985, the Department received a protest against approval of said application from Marvin &/or Sharron Marcell through their attorney, Scott Wayman.

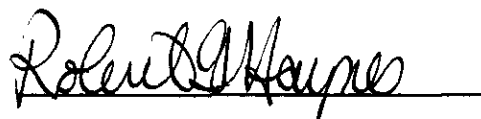
The Department has set the matter of protest for conference &/or hearing for Tuesday, July 21, 1987, at 11:00 a.m., in the Civil Defense Room located in the basement of the Clearwater County Courthouse, 160 Michigan Avenue, Orofino, Idaho. The hearing will be held in accordance with Chapter 2, Title 42 of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

ANY AND ALL COST INCURRED BY REASON OF A PARTY'S NONAPPEARANCE
MAY BE ASSESSED AGAINST SUCH NONAPPEARING PARTY.

Dated this 24th day of June, 1987.

MICROFILMED

SEP 28 1987



ROBERT G. HAYNES, P.E.

Regional Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

10-10-11

State of Idaho
Department of Water Resources
Northern Region
208-333-4444

April 29, 1986

Mr. Nick Chenoweth
P.O. Box 1422
Orofino, Id. 83544

Re: 84-7187 and 84-7188

Dear Mr. Chenoweth:

Enclosed is a copy of the form withdrawing the Marcells' Application for Permit No. 84-7187 and their objection to the issuance of Permit No. 84-7188 in the name of William A. &/or Ruby Sears.

Please have the Marcells sign the form, have it attested and then return to our office for further handling.

Thank you for your cooperation in this matter.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - Withdrawal Form

RECORDED

SEP 28 1987

Law Offices

NICK CHENOWETH

Post Office Box 1422

Orofino, Idaho 83544

Riverside Professional Center
Telephone (208) 476-1541

Associate Counsel
Scott Wayman

April 28, 1986

State of Idaho
Department of Water Resources
Suite #9, 405 Government Way
Coeur d'Alene, ID 83814

ATTEN: Robert Haynes, P.E.

Re: 84-7187 and 84-7188

Mr. Haynes:

Be advised that it is not the intent of the Marcell's to pursue any further rights in the wells described in your letter of April 17th.

You mentioned in your letter that you were enclosing a withdrawal form for the Marcell's signature. That was not enclosed, and if this letter is insufficient to set forth their desires, then would you please send down a second form for their signature.

Respectfully,

Nick Chenoweth

Nick Chenoweth

mm

NC/mm
c. Marcell

MICROFILMED

SEP 28 1987

RECEIVED

SEP 28 1987



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

April 17, 1986

Mr. and Mrs. Marvin Marcell
Box 2527
Orofino, Id. 83544

Re: 84-7187 and 84-7188

Dear Mr. and Mrs. Marcell:

I have received a copy of Judge Schilling's decision in your suit against Mr. and Mrs. Sears.

Since the question of the easement to the wells has been decided, we now need to come to some resolution of the protests concerning the two above-referenced water rights.

If you wish to continue with your application, it will be necessary to hold a conference or hearing on the matter. If you do not desire to continue with your application, I have enclosed a withdrawal form for your signature.

If I have not heard from you in thirty (30) days, I will assume that you still desire to continue with the application and will proceed to set the matter for hearing.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
Enc. - Withdrawal
cc: Mr. and Mrs. William A. Sears
Mr. Dale Cox
Mr. Scott Wayman

MICROFILMED

SEP 28 1986



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 15, 1985

Mr. and Mrs. William A. Sears
2630 Grangemont Rd.
Orofino, Id. 83544

Re: 84-7188

Dear Mr. and Mrs. Sears:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

/s/
ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enclosure

MICROFILMED

SEP 28 1987



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 15, 1985

Mr. and Mrs. Marvin Marcell
Box 2527
Grofino,, Id. 83544

Re: 84-7188

Dear Mr. and Mrs. Marcell:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
cc: Mr. Scott Wayman - Attorney at Law

MICROFILMED

SEP 28 1981

NICK CHENOWETH

Post Office Box 1422

Orofino, Idaho 83544

January 8, 1985

Riverside Professional Center
Telephone (208) 476-5545

Associate Counsel
Scott Wayman

Department of Water Resources
4055 Government Way, No. 9
Coeur d'Alene, ID 83814

Received
JAN 8 1985

Re: Application for Water Right
Case No. - 84-7188

Dear Sir:

This letter is a formal protest to the above entitled application for a water right by William A. and/or Ruby Sears.

The basis of the protest is that there is a pending case in the District Court of the Second Judicial District of the State of Idaho in Clearwater County, Case No. 9258. The case involves a dispute over the ground water which the application for a water right seeks to appropriate. Bob Haynes of your department can verify the existence of the suit as he was a witness in the lawsuit.

I also request that Department of Water Resources forward a copy of the application for water right in Case No. 84-7188, along with any supporting documents, to this office. I would also request that the department notify this office of any further action that may be taken in the above entitled application.

I thank you for your prompt attention to this matter.

Respectfully,

THE LAW OFFICES OF NICK CHENOWETH

Scott Wayman

Scott Wayman,
Associate Attorney

SW/mt

c. Marvin Marcell

MICROFILMED

SEP 28 1981

84-2188-

SEARS, WILLIAM A. &/or RUBY

2630 GRANGEMONT RD., OROFINO, ID 83544

Source: GROUNDWATER

Date Filed: 12/24/1984

Diversion Pt: LOT 02 Sec 03 T 36N R 02E

Use: DOMESTIC (0.10 CFS)

In: LOT 02 Sec 03 T 36N R 02E

MICROFILMED

SEP 28 1987

Telephone 208-476-5734

Dale O. Cox

COUNSELOR AT LAW

227 College Avenue - P. O. Box 666
Orofino, Idaho 83544

December 21, 1984

RECEIVED

DEC 24 1984

Department of Water Resources
Northern District Office

Mr. Ken Noblock
Department of Water Resources
Northern Region
4055 Government Way, Suite 9
Coeur d' Alene, Idaho 83814

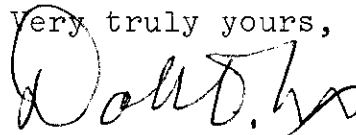
Re: Water Rights Application For Permit

Dear Ken:

Enclosed please find the application for permit of William A. Sears and Ruby Sears together with my check in the amount of \$30.00 for the application fee. I would appreciate your completing the diagram or map on the back page.

In advance, I thank you for your assistance.

Very truly yours,



Dale O. Cox

DC/cb

enc.

MICROFILMED

SEP 28 1987

IDENT. NO. 84-7188

WATER RIGHT
DATA ENTRY LOG

[illegible]