

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

R2W BM.

T 37 N

27

X

SEC 34

DELETED

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.

Kenneth D. Richard
Applicant
Deuretta M. Richard
442 Arbor Ave.
West Chicago, Ill. 60185

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.

Janet L. Laws

, being duly sworn
deposes and says, I am the Classified Bookkeeper
of the Tribune Publishing Company, a corporation organized
and existing under and by virtue of the laws of the State of
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a
newspaper of general circulation published at Lewiston, Nez
Perce County, Idaho; That the said Lewiston Morning Tribune
is an established paper and has been published regularly and
issued regularly at least once a day for more than 20 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Application for Water Permit
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for two consecutive weeks, the
first publication thereof being on the 25th day of
August, A. D. 19 77, and the last publica-
tion thereof being on the 1st day of September,
A. D. 19 77, and said Application-water permit
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

Janet L. Laws

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

1st day of Septmeber, 19 .

Dorothy R. Whitter

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.



NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that
Kenneth H. &/or Henrietta M.
Richardt, 442 Arbor Ave., West
Chicago, Ill., 60185, has on August
15, 1977, submitted Application
No. 86-7071 for a permit to
appropriate 0.03345 cubic feet per
second of water from an unnamed
spring by means of a pipeline
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34,
T37N, R2W, B.M., Nez Perce, to
be used from Jan. 1 to Dec. 31 for
domestic purposes (.00155 cfs)

and from March 1 to Oct. 15 for
the irrigation of 10 acres (.03190
cfs) within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 34,
T37N, R2W, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water
Resources, 4055 Government
Way, Coeur d'Alene, Idaho 83814,
on or before September 12, 1977.

C. STEPHEN ALLRED
Director

OK
9-6-77
B

MAP (Attach Aerial Photo)

MICROFILMED

R2W

x pd
+ PU

OK

+37N

34

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ^{AB} ~~NE~~ NW NE sec 34 T37N R2W

✓ same as permit

Place(s) of Use

✓ same as permit but less acres

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
37N	2W	34		X.25															0.25

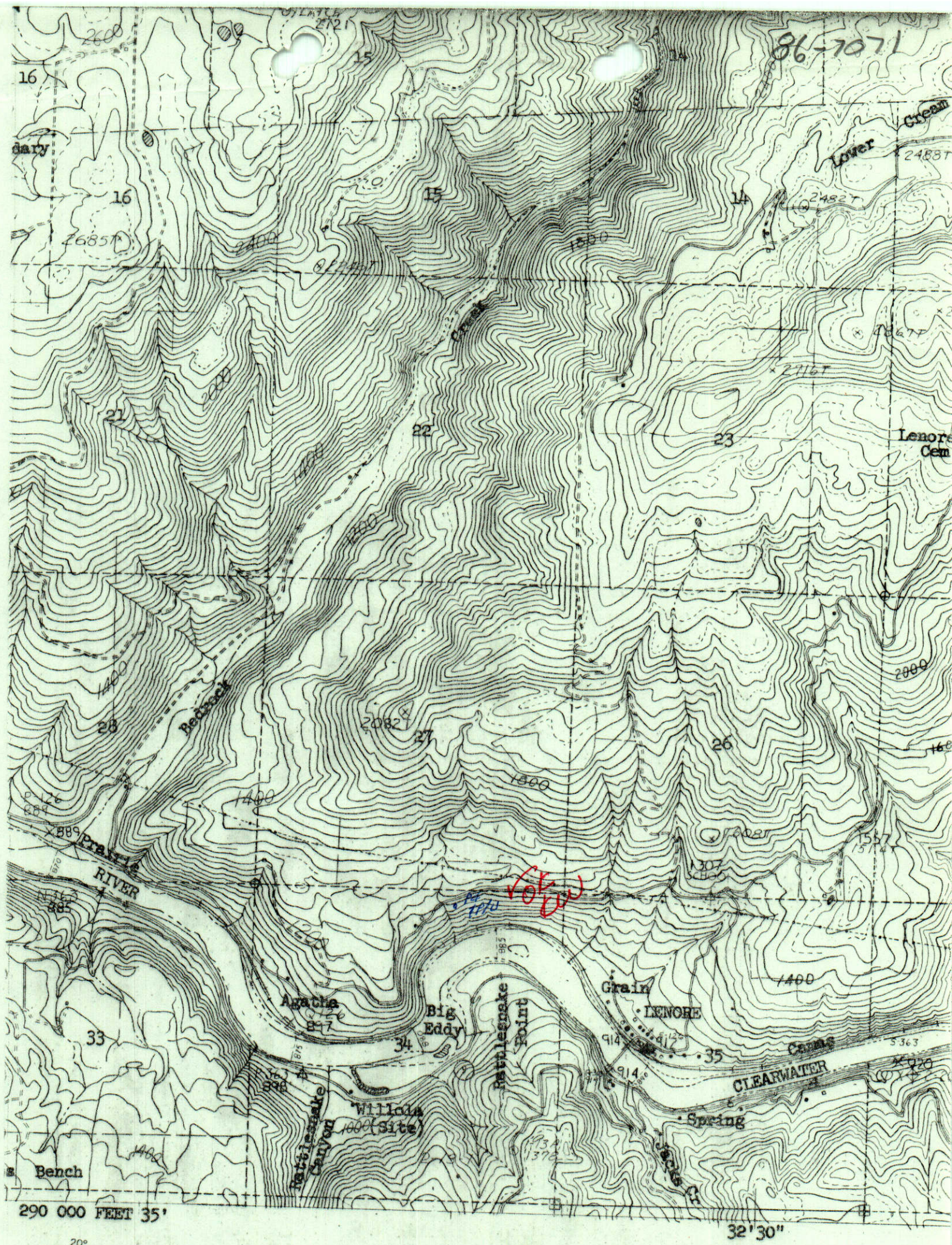
Recommended Amendments:

- ☐ 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

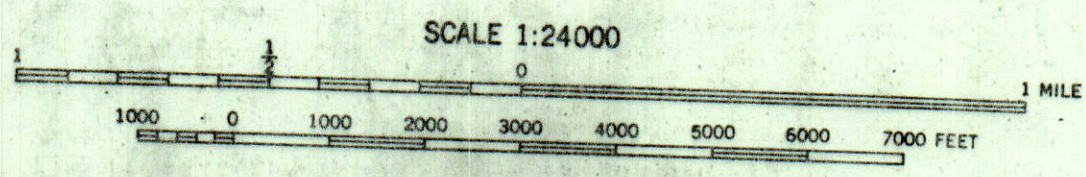
Examiner's Signature Larry Beard
 Checked by Bob Harper
 Approved by Kay Walker

Date 8/2/83
 Date 9/1/83
 Date 11/23/83

86-1071



MICROFILMED
TRUE NORTH
MAGNETIC NORTH
APPROXIMATE MEAN
DECLINATION, 1961



CONTOUR INTERVAL 40 FEET
DASHED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 86-7071 Priority August 15, 1977 Amount 0.02 cfs

THIS IS TO CERTIFY, that Kenneth H. Richardt & Henrietta M. Richardt
of West Chicago, Illinois, has complied with the terms and conditions of Permit
No. 86-7071 issued pursuant to Application for Permit dated August 15, 1977,
and has submitted proof to the Department of Water Resources on August 9, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from a spring,
tributary to Clearwater River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>October 15</u> at <u>0.01</u> cfs and	<u>1.1</u> acre feet	
<u>Domestic</u>	from <u>January 1</u> to <u>December 1</u> at <u>0.01</u> cfs and	<u>0.6</u> acre feet	
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.7 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34,
Twp 37N, Rge 2W in the County of Nez Perce

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
37N	2W	34																	1

Total number of acres irrigated 1

Actual acres irrigated = 0.25.
Domestic water is for in-house use only.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 13TH day of
JANUARY, 19 84.

Acting for the Director

Norman C. Young

Identification No. _____
Application No. 86-7071

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant Kenneth H. Richardt and Henrietta M. Richardt Phone: 312-331-1675
post office address 442 Arbor Ave. West Chicago, Illinois 60185
2. Source of water supply Spring which is a tributary of Clearwater River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 37N
Range 2W B.M. Nez Perce County; additional points of diversion if any: NONE
- b. If water is not consumed, it will be discharged into CLEARWATER RIVER at a point in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 37N Range 2W B.M. IDAHO
4. Water will be used for the following purposes:
Amount 0390 cfs for irrig. purpose from MAR 1 to OCT 15 (both dates inclusive)
Amount 00155 for DOMESTIC purpose from JAN 1 to DEC 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. 0.03345 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. TO BE DETERMINED
Pipe line to place of use
- b. Height of storage dam NA feet, active reservoir capacity NA acre feet; total reservoir capacity NA acre feet, materials used in storage dam: NA
Period of year during which storage will occur NA to NA inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is NA inches; proposed depth of well is NA feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 50000
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 NE $\frac{1}{4}$ of Section 34 Township 37N
Range 2W B.M.
(2) Amount of power to be generated: NONE hp under NA feet of head.
(3) List number of each kind of livestock to be watered 5 CATTLE 5 HORSES
(4) Name of municipality to be served NONE, or number of families to be supplied with domestic water ONE
(5) If water is to be used for other purposes describe: NON COMMERCIAL ORCHARD & GARDEN

NA = NOT APPLICABLE

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

TWP.	RANGE	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	
37N	2W	34		10															10

Total number of acres to be irrigated 10

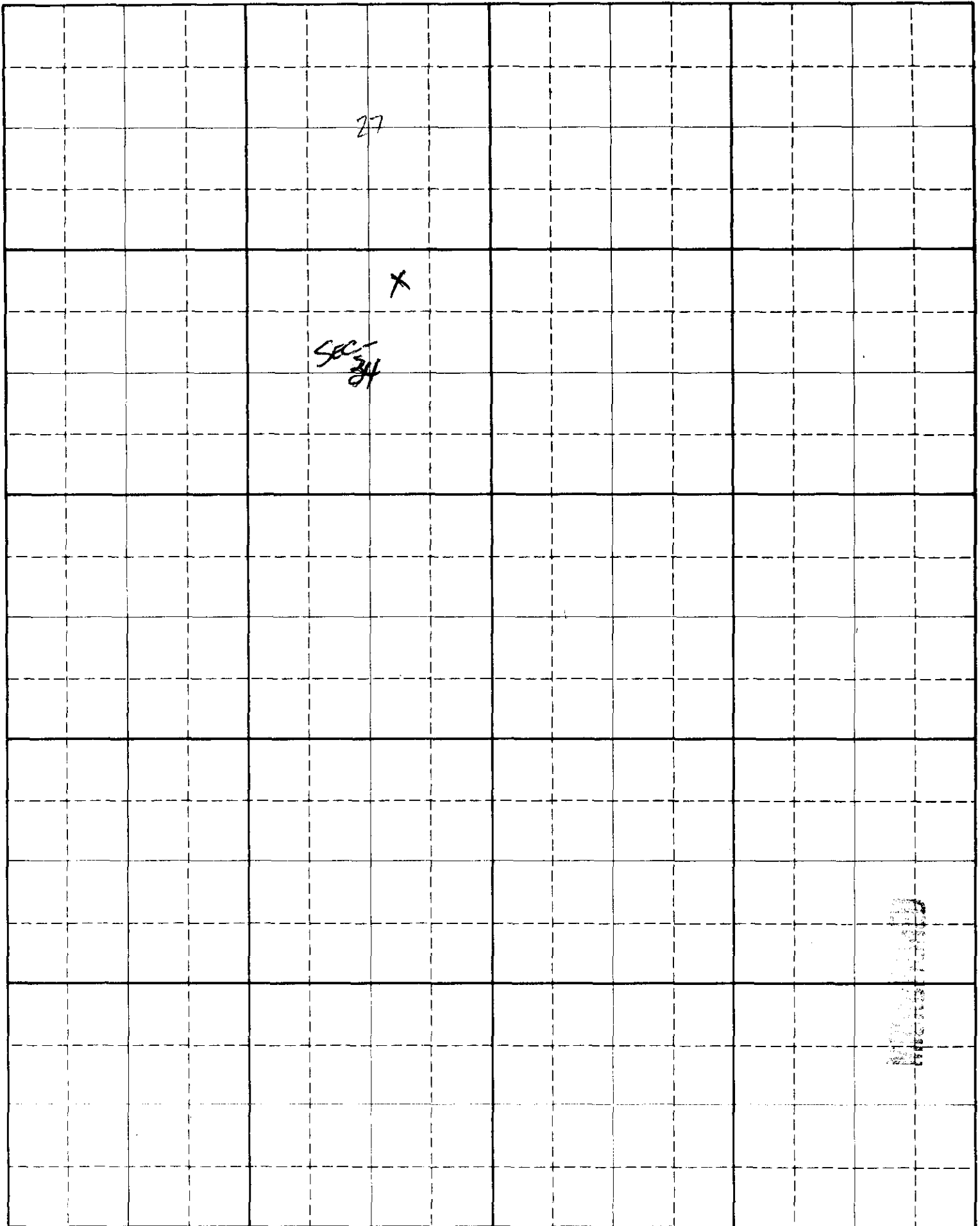
c. Describe any other water rights used for the same purposes as described above. NONE

9. a. Who owns the property at the point of diversion APPLICANTS (K.H. & H.M. RICHARDT)
 b. Who owns the land to be irrigated or place of use APPLICANTS (" " ")
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing NA

10. Remarks NONE

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

R2W BM.



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.

Kenneth Richard
Applicant
Kenneth M. Richard
442 Arbor Ave.
West Chicago, Ill. 60185

8/15/77

Received by Wick Date 8-15-77 Time 10:00
Preliminary check by VF Fee \$ 10.00
Received by B Date 8-12-77 (5236)
Publication prepared by B Date 8-12-77
Published in Bozeman Morning Tribune
Publication dates 8-25 & 9-1-77
Publication approved B Date 9-8-77
Priority reduced to _____ Reason _____

Protests filed by: _____

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

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. 86-7071, 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 October 1, 19 82.
- c. Other: _____

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

Witness my hand this 1 day of November 19 77.


Director

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.

Janet L. Laws

, being duly sworn
deposes and says, I am the Classified Bookkeeper
of the Tribune Publishing Company, a corporation organized
and existing under and by virtue of the laws of the State of
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a
newspaper of general circulation published at Lewiston, Nez
Perce County, Idaho; That the said Lewiston Morning Tribune
is an established paper and has been published regularly and
issued regularly at least once a day for more than 20 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Application for Water Permit
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for two consecutive weeks, the
first publication thereof being on the 25th day of
August, A. D. 19 77, and the last publica-
tion thereof being on the 1st day of September,
A. D. 19 77, and said Application-water permit
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

Janet L. Laws

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

1st day of Septmeber, 1977

Dorothy R. Whittier

Notary Public in and for the State of Idaho
residing at Lewiston, therein.

1
If you are not satisfied with the results of the first filing, you may file a second filing. This second filing will be considered as a new application and will be processed as such. It will not be considered as a continuation of the first filing.

Depending on the extent of the water right, you may have the option of obtaining a private water right. This is a right that is not subject to public use and is not subject to the same regulations as a public water right.

I hope I have satisfied your questions. If you have any further questions, please contact me.

Sincerely,
L. GLEN SEXTON

September 20, 1978

L. GLEN SEXTON

Chief, Northern Regional Office

Kenneth Richardt
442 Arbor Avenue
West Chicago, IL 60185

Dear Mr. Richardt:

Re: Permit Nos. 86-7079 and 86-7071 -- Lowell Ayers

Your letters of August 22 and August 26, 1978 have been forwarded to me for response. From a review of the files, it appears that a number of the questions raised in your letters have previously been addressed in correspondence from our Northern Regional office, but perhaps I can give further clarification in this matter.

An application can only be considered by the Department if an applicant has possessory interest in the land where the water will be used. Possessory interest can include outright ownership, land being purchased through a contract; and leased land. The permit issued by the Department does not grant any right-of-way or easements across the lands of another. The obtaining of easements, etc. are civil matters that must be resolved by the parties themselves.

I note that you have made the first filing and thus have the prior water right between the above referenced permits. If there is additional water in excess of the first water right, the second appropriation would then be filled and so on.

Speculation can be used for a reason of denial if there is evidence available which shows that the applicant, in fact, does not intend to make an appropriation of water. It is usually difficult to determine the intentions of an individual with regard to development.

Any of the correspondence or applications filed with the Department are public information. The Department's notice to the public of the applications filed is the legal publication which appears once each week for two consecutive weeks in a paper in the county in which the proposed water use is located.

MICROFILMED

Kenneth Richardt
Page 2
September 20, 1978

If more water has been applied for than can be developed or that is available, less water will be found by the Department's examiner and less water will be licensed after proof of beneficial use is submitted to the Department.

Depending on the extent you wish to pursue this matter, you have the option of bringing a private civil action in district court against another party.

I hope I have satisfactorily answered your letters of inquiry.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Northern Region ✓

MICROFILMED

January 23, 1984

RE: Permit No. 86-7071

Kenneth H. &/or Henrietta M. Richardt
442 Arbor
West Chicago, ILL 60185

Dear Mr. and Mrs. Richardt:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

10 DAY LICENSE REVIEW

License vs. Permit

- No. correct A & B
- ☒ Priority date correct
- Amount equal to or less than
- Name same ☒
- ☒ Permit date correct
- Proof due date correct
- ☒ Source correct
- ☒ Use correct
- ☒ Period of use/use correct
- ☒ Rate of diversion/use equal to or less than
- ☒ Point of diversion description same or different
- ☒ County same
- ☒ Place of use description same or different

License vs. Field Exam

- ☒ Amount for rate of diversion correct
- ☒ Capacity correct
- ☒ Amount for each use correct
- ☒ Total amount correct
- ☒ Volume for each use correct
- ☒ Total volume corrected
- ☒ Field exam showing p/d correct
- ☒ Field exam showing p/u correct
- ☒ Does field exam show more land irrigated than permit allows?
- ☒ OK - Overlap review complete
- Conditions of approval correct - ADD

Cover Letter vs. License

- ☒ Name correct
- ☒ Number correct
- ☒ Amount correct
- ☒ P/D description correct
- ☒ P/U description correct
- ☒ Priority correct
- ☒ Conditions correct

Name



Date

11-28-83

MICROFILMED



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

November 29, 1983

RE: Permit No. 86-7071

Kenneth H. &/or Henrietta M. Richardt
442 Arbor
West Chicago, IL 60185

Dear Mr. and Mrs. Richardt;

A representative of the Department has made an examination of the works covered by your Permit No. 86-7071, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.02 cfs Source: a spring tributary to Clearwater River

The maximum quantity diverted shall not exceed 1.7 acre feet per year.

Point(s) of diversion: NW 1/4 NE 1/4 Section 34, Twp 37N, Rge 2W

Domestic and irrigation of 1/4 acre within NW 1/4 NE 1/4 Section 34, Twp 37N, Rge 2W

Priority date established: August 15, 1977

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

SEP 9 1983

Department of Water Resources
86-7071
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8/2/83 Accompanied by Bob Haynes Total Q measured _____
If source is surface water, estimate total flow of source _____
Methods of measurement Estimate Meets Permit requirements? Yes

Measurement calculations: Domestic - 0.00155 appropriated - Allow 0.01 cfs ok
 $V_{max} = (0.00155)(3600 \text{ sec/hr})(24 \text{ hr/day})(365 \text{ d/yr})(\frac{1 \text{ AFA}}{43560 \text{ ft}^2}) = 1.12 \text{ AFA}$ ok
Irrigation ~ 0.25 ac - allow 0.01 cfs ok
 $V_{irr} = \frac{3.5 \text{ AFA}}{4} = 0.875 \text{ AFA}$
 $V = 0.01 \times 1.9835 \times 214 = 4.2$
 $V = .25 \times 4.5 = 1.1$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description developed spring with pump and pipeline to home. No irrigation.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement = <u>4.5</u> <u>per water users handbook</u> AFA/Acre	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u>		<u>0.01</u> <u>ok</u>	<u>1.12</u> <u>allow</u>	<u>1-1</u>	<u>12-31</u>
<u>Irrigation</u>		<u>0.01</u> <u>ok</u>	<u>0.88</u> <u>allow</u>	<u>3-1</u>	<u>10-15</u>

* .6 ac for in house use
Total 0.02 ok 1.7 allow 20-23

Remarks Lawn and garden irrigation ~ 1/4 ac. Access to spring is difficult, so data was not obtained from pump. System was operating when exam was made.

Add condition to license: Domestic water is for in house use only.

Jim

MAP (Attach Aerial Photo)

MICROFILMED

R2W

x P.D. 2 P.U. ✓ OK

T37N

34

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: ~~AB~~ NW NE sec 34 T37N R2W ✓ same as permit

Place(s) of Use ✓ same as permit but dreds added

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
37N	2W	34		X25															0.25

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

Examiner's Signature: Larry Beard

Checked by: Bob Turner

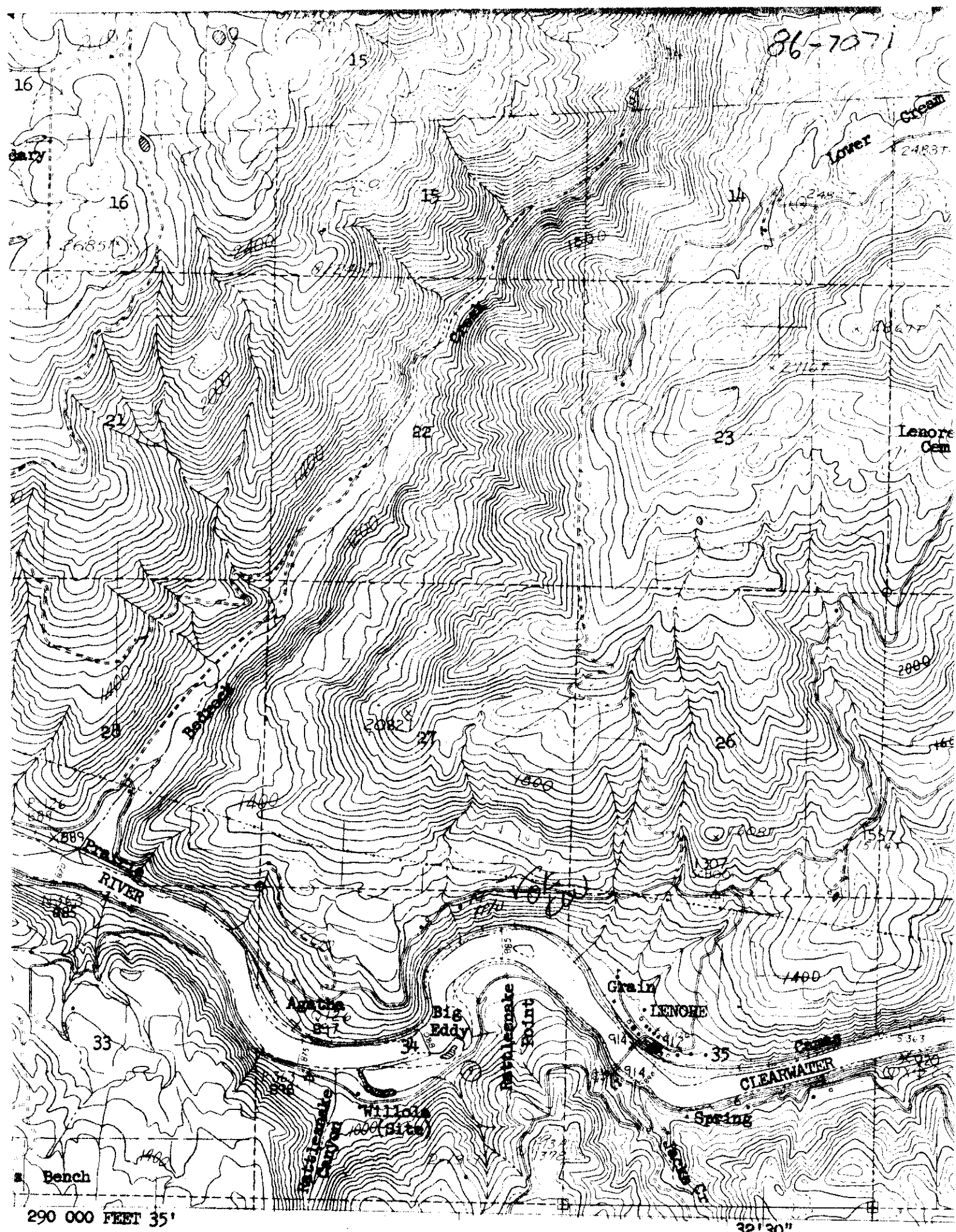
Approved by: Ray Walker

Date: 8/2/83

Date: 9/1/83

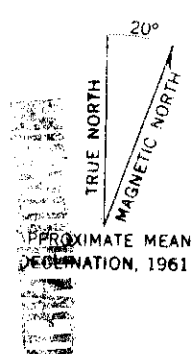
Date: 11/23/83

86-7071

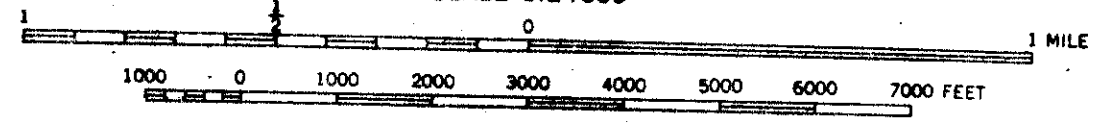


290 000 FEET 35'

32'30"



SCALE 1:24000



CONTOUR INTERVAL 40 FEET
DASHED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

RECEIVED

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

NOV 1 1983

Statehouse

Boise, Idaho 83720
Department of Water Resources
(208) 334-4440

March 30, 1983

RE: Permit No. 86-7071

Ken Richardt
442 Arbor
West Chicago, IL 60185

Dear Mr. Richardt:

We are in receipt of your inquiry as to the status of your Water Permit No. 86-7071.

There has been no change in the status since my last letter. The winter months are generally poor time for the Department's examiners to make field examinations. I have requested the examiner to make the inspection of your permit a high priority and hopefully he will be able to do it sometime this spring or summer.

The ball is still in our court so you need not be concerned about anything further that you have to do.

With any luck the next correspondence we have will be us sending you your licensed water right.

If you have any further questions on this, please let me know.

Sincerely,

Jim Johnson

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

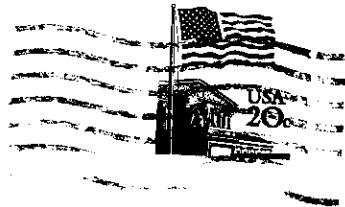
RECEIVED

*Jim we sent this exam down
to you 8/31/83
Bob*

*Dear Sir,
Spring + summer have gone
and I still have not recieved my
water right. ???
Ken Richardt*

KENNETH H RICHARDT
442 ARBOR AV
WEST CHICAGO IL 60185

use this address



Idaho Dept of Water Resources
Statehouse
450 W State St.
Boise,
Idaho 83720

UNDELIVERED

DATE 8-1-83

FROM Jim

TO Bob H.

SUBJECT Field Exam on permit 86-7071

The Attached letter is the 3RD letter we have received from this guy.

Could you put high priority on making the field exam?

Thanks

SIGNATURE

86-7071

Mr. Jim Johnson
Water Dist Supervisor
Dept of Water Resources
Boise, Idaho 83720

July 6-83
RECEIVED

JUL 11 1983

Dear Jim

I received your last letter in March of this year stating that your next correspondence would be sending me my water right. It is now four months later and I still haven't received my right.

Mr. Lowell Ayers received his water right two years ago to water that is only excess water from my reservoir. It behoves me that your office could approve his right with an inspection without seeing my spring trap and reservoir which is less than a foot (12 inches) apart. His tank receives water from the over flow pipe from my reservoir.

Please, would your office expedite my water right immediately.

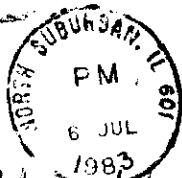
Thanking you in advance

Sincerely,
Ken Richardt

1442 Arbor Ave.
West Chicago, IL 60193

MICROFILMED

KENNETH H RICHARDT
442 ARBOR AV
WEST CHICAGO IL 60185



Idaho Dept of Water Resources
% Jim Johnson
State Office
450 W. State Street
Boise, Idaho 83720

March 30, 1983

RE: Permit No. 86-7071.

Ken Richardt
442 Arbor
West Chicago, IL 60185

Dear Mr. Richardt:

We are in receipt of your inquiry as to the status of your Water Permit No. 86-7071.

There has been no change in the status since my last letter. The winter months are generally poor time for the Department's examiners to make field examinations. I have requested the examiner to make the inspection of your permit a high priority and hopefully he will be able to do it sometime this spring or summer.

The ball is still in our court so you need not be concerned about anything ~~concern~~ that you have to do.

With any luck the next correspondence we have will be us sending you your licensed water right.

If you have any further questions on this, please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw





AIR FORCE ASSOCIATION

West Suburban Chapter

An Independent Non Profit Aerospace Organization

RECEIVED

MAR 10 1983

Department of Water Resources

Please Reply to:

Jim Johnson
Water Distribution Supervisor
Stations
Boise, Idaho 83720

Permit No. 86-7071

Dear Jim,
As of now I have heard nothing of my water right.
Your last letter assured me all was in order and just an
inspection by a field examiner was necessary. Six months
have elapsed and I have received no word from your department.
It is possible the right could have been lost in the
mails. In any event I would like to be enlightened on
this water right.

Awaiting an answer.

Sincerely,
Len Richardt
442 Arden Ave.
West Chicago,
Ill. 60185

MICROFILMED

August 16, 1982

RE: Permit No. 86-7071

Kenneth H. &/or Henrietta M. Richardt
442 Arbor Ave.
West Chicago, IL 60185

Dear Mr. and Mrs. Richardt:

I am in receipt of your letter of August, 2, 1982, and August 4, 1982, addressed to Rita Fleck. In response to your expressed concerns about losing your water right, now that we have received your statement via the post card that the project has been completed a field exam will be scheduled to inspect your development. The field examiner will prepare a report based upon his findings and a permanent water license will be issued. Unfortunately, I cannot tell you when the field exam will be scheduled because of the large number of backlog of field exams to do.

Please be patient with us, I assure you that your permit is in good order and you will be contacted when further action is required.

If you have any other questions or if I can be of further assistance, please contact me.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

RECEIVED
AUG 9 1982
Department of Water Resources



PLACE
13 CENT
STAMP
HERE

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 86-7071

Name(s) of Permit Holder: Kenneth H. ^{and} Henrietta M. Richardt

Post Office Address: 442 Arbor Ave. West Chicago, IL 60185

Tel. No. 312-231-1675

Source of Water:

Spring

Extent of Use:

☒ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

(acres)

☐ Other

Measuring Device:

Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

Access Port:

Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

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

August 4 1982
Date

Kenneth Richardt
Signature of Permit Holder

Water Resources Dept.
Statehouse Boise, Id. 83720
Attn: Rita Fleck, Asst. Sect.

Aug 4th 1982

RECEIVED

AUG 9 1982

Department of water resources

Dear Rita Fleck,

I received a letter from Jim Johnson which was in reply to a letter I sent June 24th. I answered August 2nd as I am concerned about getting my right approved. My previous letter took several months before an answer was sent.

One Mr Lowell Ayres has received his right on my spring a year ago and he gets the excess water run off from my reservoir. I cannot understand the delays on my water right and I certainly don't need an extension. We have completed and used water from that spring over four years.

To not repeat myself look

②

up Mr. Jim Johnson and ask to see
the letter I sent to him. It will inform
you of the situation.

After each letter I get a reply
from someone else in the Department.
Because of all these unnecessary
delays I am worried about the
October 1st dead line. To assure the
ayers right your inspector would
have to see my development as
his water comes from my reservoir
over flow.

Thanking you
in advance

I remain

Ken Richardt

442 Arden Ave.

West Chicago, Ill 60185

State of Idaho
Dept of Water Resources
450 W. State St. Boise Id.

Aug 2-82

RECEIVED

AUG 5 1982

Department of Water Resources

RE: Permit No. 86-7071

Dear Jim Johnson,

My water right filing dead-line is October and I wonder why the delay in any expediting the same. Mr. Lowell Ayres has had his right over a year and he takes the overflow water from my reservoir. He never made an attempt to use water from this spring until I spent thousands of dollars developing it.

Answer to my letter to your office took five weeks and am wondering if these time lapses are intentional to have my right filing dead line to pass and I would be out in the cold even tho the spring and development are on my land. Your letter of July 27 was the third letter in regard to my water right which has spanned the past 6 months. I am very worried about that dead line and why the reluctance of your office to send me the proper or necessary papers to implement this right.

Sincerely Ken Richardt

Water Right Permit No 86-1071

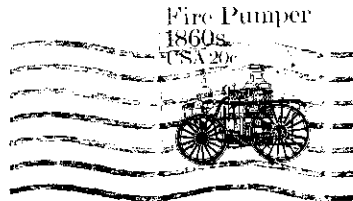
Kenneth Richardt

442 Arbor Ave

West Chicago,

ILLinois 60185

K. RICHARDT
442 ARBOR
WEST CHICAGO, ILL.
60185



*State of Idaho
Dept of Water Resources
State Office 450 W. State St.
Boise,
Idaho 83720*

*Attention
Jim Johnson*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
138501

RICHARDT, KENNETH H. & HENRIETTA M.
442 ARBOR AVE.
WEST CHICAGO, IL 60185

JULY 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 86-7071 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1



July 27, 1982

RE: Permit No. 86-7071

Kenneth Richardt
442 Arbor Ave.
West Chicago, IL 60185

Dear Mr. Richardt:

Per your letter of June 24, 1982 inquiring as to the status of your water right I offer the following: You will be receiving correspondence shortly which will supply you information on the next step required for perfecting your permit into a licensed water right.

If you have any further questions after receiving the mentioned correspondence please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

Lenore, Idaho 83541
June 24th 1982

RECEIVED
JUN 26 1982
Department of Water Resources

State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

Attention: Mr. Jim Johnson
Re: # 86-7071

Dear Mr. Johnson,

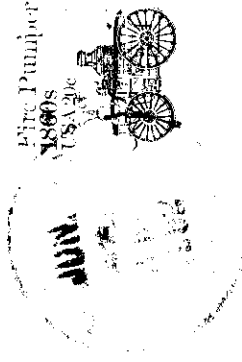
In a reply to my letter to The Northern Regional office I have been informed by Mr. Tom King that your office handles and issues the water rights.

My dead line is October 1, 1982 and our system has been completed and in operation nearly four years. Our requested requirements are the same as on our water permit. I would appreciate assurance from your office that my water right has been issued.

Sincerely

Kenneth H. Richardt
Kenneth H. Richardt and Henrietta M. Richardt
442 Arbor Ave
West Chicago, ILL 60185

K + H. RICHARDT
442 ARBOR AVENUE
WEST CHICAGO, ILL.
60185



State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

Attn: Mr. Jim Johnson



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 3, 1982

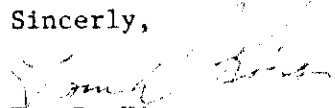
Kenneth Richardt
442 Arbor Ave.
West Chicago, IL 60185

Dear Mr. Richardt,

According to the departmental records you have applied for water rights by filing Application # ~~86-7071~~. One of the requirements to perfecting this permit, is that the project be completed on or before Oct. 1, 1982. Our Boise office will contact you concerning this matter, prior to that time.

If you have any questions please feel free to contact me at this office.

Sincerely,


Tom D. King
Sr. Water Resource Agent

RECEIVED
MARCH 10 1982
IDAHO DEPARTMENT OF WATER RESOURCES

Idaho Dept of Water Resources

Rt 5, Box 1203 Suite 1

Coeur d'Alene Idaho 83814

RECEIVED

FEB 23 1978

Department of Water Resources
Northern District Office

Dear Sir,

In compliance to Idaho state law on water rights would appreciate your sending me the proper forms to apply for any water right.

My water permit number 86-7071 was approved November 1977

Thanking you in advance

Sincerely

Kenneth Richardt

442 Arbor Ave.

West Chicago,

Illinois 60185

Ph. 312-231-1675

3/79

IDENT. NO. 86-7071

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

WATER RIGHT
DATA ENTRY LOG[illegible]

September 20, 1978

Kenneth Richardt
442 Arbor Avenue
West Chicago, IL 60185

Dear Mr. Richardt:

Re: Permit Nos. 86-7079 and 86-7071 -- Lowell Ayers

Your letters of August 22 and August 26, 1978 have been forwarded to me for response. From a review of the files, it appears that a number of the questions raised in your letters have previously been addressed in correspondence from our Northern Regional office, but perhaps I can give further clarification in this matter.

An application can only be considered by the Department if an applicant has possessory interest in the land where the water will be used. Possessory interest can include outright ownership, land being purchased through a contract, and leased land. The permit issued by the Department does not grant any right-of-way or easements across the lands of another. The obtaining of easements, etc. are civil matters that must be resolved by the parties themselves.

I note that you have made the first filing and thus have the prior water right between the above referenced permits. If there is additional water in excess of the first water right, the second appropriation would then be filled and so on.

Speculation can be used for a reason of denial if there is evidence available which shows that the applicant, in fact, does not intend to make an appropriation of water. It is usually difficult to determine the intentions of an individual with regard to development.

Any of the correspondence or applications filed with the Department are public information. The Department's notice to the public of the applications filed is the legal publication which appears once each week for two consecutive weeks in a paper in the county in which the proposed water use is located.

Kenneth Richardt
Page 2
September 20, 1978

If more water has been applied for than can be developed or that is available, less water will be found by the Department's examiner and less water will be licensed after proof of beneficial use is submitted to the Department.

Depending on the extent you wish to pursue this matter, you have the option of bringing a private civil action in district court against another party.

I hope I have satisfactorily answered your letters of inquiry.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Northern Region

State of Idaho
Dept. of Water Resources
State House
713 W. Franklin Street
Boise, Idaho 83720

Attn: Norman C. Young

Dear Sir:

Just received your letter with photo copy of Lovell Ayers application for water permit #86-7079. I made application on August 15, 1977, permit #86-7071, being approved November 1, 1977.

I believe Mr. Ayers approval should be rescinded by your office because of the inequities and mis-statements in his application. He is asking two (2) facilities to be supplied. I want to know the else he has in mind. Wanting to take over a spring that has cost me much to develop is ridiculous.

Item 9b. asks who owns the land, and he has K. Richardt & applicant. He positively owns no part of my land. Item 9c. he claims to have a deeded easement, which is totally false. Item 9a. he plans to use a water pump which I'm sure you know wastes three times the water it pumps.

Taken from R. Haynes letter, he said the application would be denied if he made it for speculative purposes. Mr. Ayers told me he needed more water so he could sell his land.

I feel I am being had. Why was I not notified when Mr. Ayers applied for water on land that had just received an approved water permit nine months previously? As Mr. Haynes wrote me, if I had filed my protest in time he could have denied Mr. Ayers application. I was six days late but only because I have no way to know, being here in Illinois.

I'm asking for your office to review Mr. Ayers error-filled and incomplete application and rescind your approval.

Very truly yours,

Kenneth Richardt
Kenneth Richardt

HR/hr

RECEIVED
August 26, 1978
RECEIVED
AUG 29 1978
Department of Water Resources

RECEIVED

AUG 25 1978

Department of Water Resources

August 22, 1978

State of Idaho
Dept. of Water Resources
375 W. Franklin
Boise, Idaho 83720

Dear Sirs:

This is a follow up of our phone conversation of August 21 at 11:30 AM (9:30 Pacific), regarding Lowell Ayres application for water permit No. 86-7079.

It was a shock to open Mr. Haynes letter, when we arrived home from Idaho, to find he completely changed his position on Ayres application. He said it was his opinion the water crossed the property line which I believe is absorbed in our wish. Also, he stated he believed there was water in excess of what I will use, which we don't know at this time, but should have no bearing on his decision.

On Ayres application he asks (item 4 & 5) for 0.02 cubic feet per second which, if I calculate right, would be 36 gallons per minute. I don't think the spring I have developed (approximately \$7000.00 expenditure) will produce that much water at its best time. Item 2-a-4 he asks two families to be supplied. The also is he applying for? In item 2-b he states he and I own the land and only I have clear title to this property. In 2-c he states he has a deeded easement, which is news to me. There are no commitments on my title pertaining to his statement, only to the Washington Water Power Company and to Northern Pacific Railway Company.

While in Idaho we drove to Coeur d'Alene (August 4th) to see Mr. Haynes as, at that time, had not received any word. He was gone but his office girl was under the impression that Ayres application was denied.

We met Mr. Ayres in May of this year for the first time and it was then that he said he wanted a better water source. He mentioned this was necessary to the sale of his property. Then we met at our building site the last of August. Upon he asked what I was going to do. His one comment was "How much will you agree to sign off?" You know how I answered that. He then said "just drill me a well so I get water and I'll forget the whole thing."

DIRECTOR	☒
DEPUTY DIR.	☐
RESO. ADMIN.	☐
RESO. ANALYSIS	☐
OPER. BUREAU	☒
TECH. SER. BUR.	☐
PROJ. STUD. BUR.	☐
LEGAL	☐
FISCAL	☐
PERSONNEL	☐
FILES	☐

August 22, 1970

He was surprised to learn, from Mr. Ayers, that the Department has supplied him with copies of my letters to the Department which were written in supposed confidence.

To be, it seems strange that no effort was made by Mr. Ayers to obtain water until I had completely developed one of the springs.

Because of the errors in Mr. Ayers application for a water permit I believe his request should be denied. Two wrongs do not make a right.

Very truly yours,

Ken Richard



RM/ur

Kenneth Richardt
442 Acber Ave.
West Chicago, Illinois
60185

Attn: Norman C. Young

State of Idaho
Dept. of Water Resources
State House
373 W. Franklin Street
Boise, Idaho 83720



Ken Alchard
442 Arbor Ave.
West Chicago, Illinois
60185

Attn: Kenneth Dunn
Norm Young

State of Idaho
Dept of Water Resources
373 W. Franklin
Boise, Idaho. 83720



November 2, 1977

Re: Permit No. 86-7071

Kenneth H. &/or Henrietta M. Richardt
442 Arbor Ave.
West Chicago, Illinois 60185

Dear Mr. &/or Mrs. Richardt:

Enclosed is a copy of your approved Application for Permit No. 86-7071 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 86-7071 Richardt

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) SP 8-16-77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) SR 8-16-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) 9-12-77

(12) _____

Final date for protests 9-12-77
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or
applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

8-15-77 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of
approval

☒ No special conditions for approval

(15) District Northern By Bob Haynes Date 8-14-77



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 18, 1977

RE: Application No. 86-7071

Lewiston Morning Tribune
505 C Street
Lewiston, Id 83801

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Bill received
9-6-77
B*



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

4055 Government Way

667-6484

COEUR D'ALENE, IDAHO 83814

August 17, 1977

RE: Application 86-7071

**Kenneth H & Henrietta M Richardt
442 Arbor Ave
W Chicago, Ill 60185**

Dear Mr & Mrs Richardt,

Attached is your receipt No. **5736** in the amount of **\$10.00** for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment

- July 27 - 1977

Dept. of Water Resources
State House
Boise, Idaho 83707

RECEIVED

AUG 3 1977

Page 1 of 1

Dear Sirs,

I would appreciate instructions and proper forms necessary for applying for a water permit. My land is located in Nez Perce County near Lenore.

Thanking you in advance

I remain

Kenneth Richardt

Kenneth Richardt
442 Arbor Ave
West Chicago,
Illinois 60185

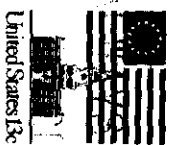
RECEIVED

AUG 2 1977

Department of Water Resources
Northern District Office

RECEIVED

KENNETH H RICHARDT
442 ARBOR AV.
West CHICAGO, ILL.
60185



Dept. of Water Resources
State House
Boise,
Idaho 85707

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Kenneth H &/or Henrietta M Richardt

442 Arbor Ave, West Chicago, Ill. 60185

has on August 15, 1977 submitted Application No. 86-7071

for a permit to appropriate 0.03345 cubic feet per second ~~xxacresfeetperannum~~
of water from an unnamed spring

by means of a pipeline

within the NW1/4 NE1/4 Sec 34, T37N, R2W, B.M., Nez Perce

to be used from Jan 1 to Dec 31 for domestic purposes (.00155 cfs) and

~~xxfor~~ from March 1 to Oct 15 for the irrigation of 10 acres (.03190 cfs)

within the NW1/4 NE1/4 Sec 34, T37N, R2W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before September 12, 1977.

C. STEPHEN ALLRED
Director

Published in the Lewiston Morning Tribune, Lewiston, Id

on August 25 and September 1, 1977