

PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 20 1974

Department of Water Resources
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merlin J. Anderson, 1278 Trumble Creek Road, Kalispell, Montana has on August 28, 1974 submitted Application No. 85-7091 for a permit to appropriate 0.02 cubic feet per second of water from a Spring by means of catch basin, tank and pipeline within Lot 3, Sec. 14, T. 31N, R. 5W, B.M., Nez Perce County to be used from Jan. 1 to Dec. 31 for domestic purposes within Lot 3, Sec. 14, T. 31N, R. 5W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Sept. 30, 1974.

R. KEITH HIGGINSON
Director

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

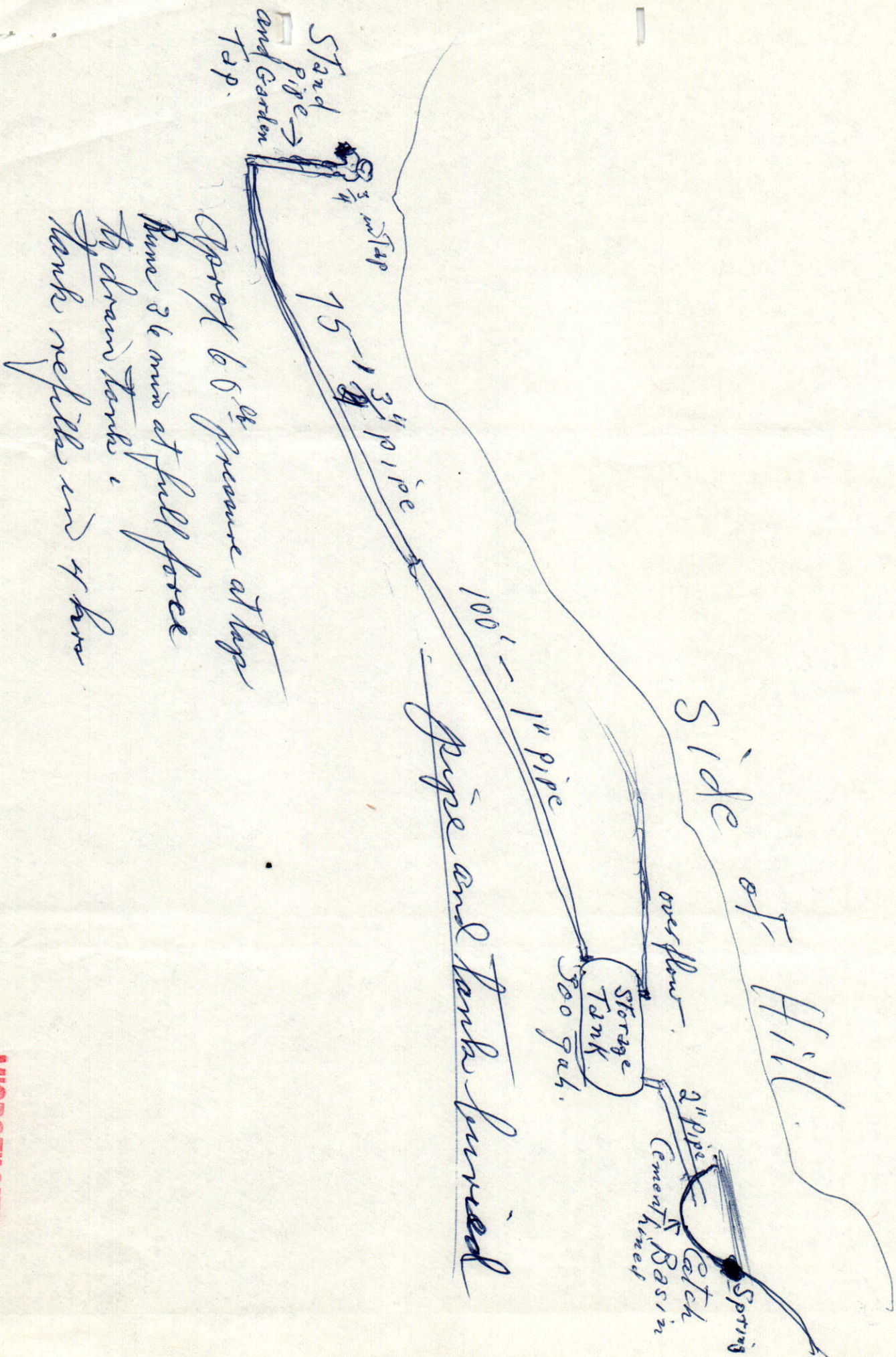
A.E. Hall, being duly sworn deposes and says, I am the Business Manager of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, 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 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the Notice of Application attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 12th day of September, A. D. 1974, and the last publication thereof being on the 19th day of September, A. D. 1974, and said Notice of Application was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Alvin E. Hall

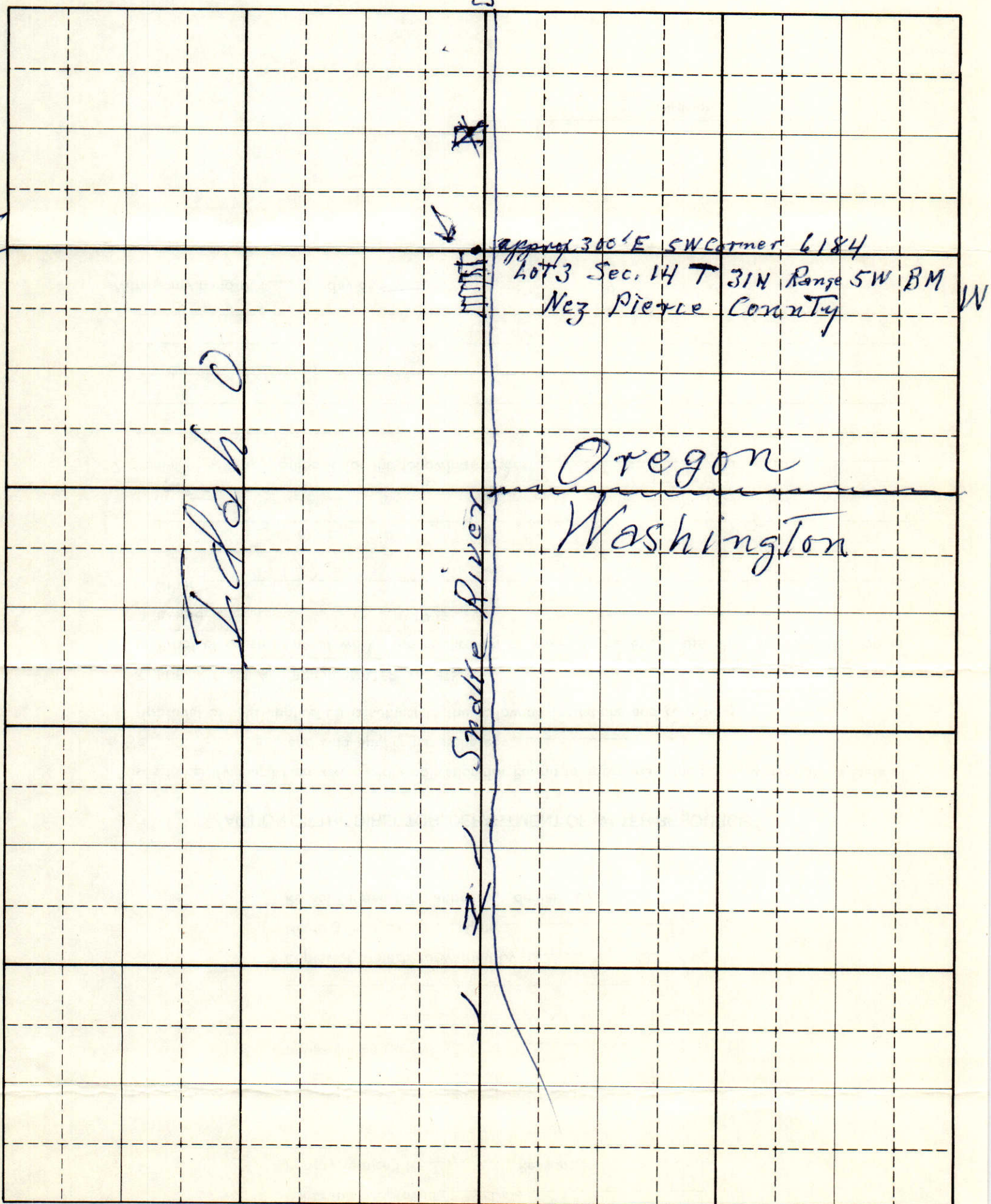
SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
19th day of September, 1974.

Norman W. Fitch 8-28-76
Notary Public In and for the State of Idaho,
residing at Lewiston, therein.

FILED



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.

[Signature]
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7091 Priority August 28, 1974 Amount 0.02 cfs

THIS IS TO CERTIFY, that MERLIN J. ANDERSON
of Kalispell, Montana, has complied with the terms and conditions of Permit
No. 85-7091 issued pursuant to Application for Permit dated August 28, 1974,
and has submitted proof to the Department of Water Resources on September 22, 1975,
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 an unnamed spring,
tributary to _____, 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>Domestic</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>0.6 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.6 acre feet per year, said waters to be diverted within Lot 3 of Sec. 14,
Twp. 31 N, Rge. 5 W, B. M. in the County of Nez Perce

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
31 N	5 W	14									Lot 3								

Total number of acres irrigated _____

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11 day of
October, 19 75.

Director

Identification No. 85-7091

Application No. _____

STATE OF IDAHO

LICENSE ISSUED FOR SEC. 10
LICENSE PAGE NO. _____

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Merlin J. Anderson PH: 756-6795
post office address 1278 Trumble Creek Road, Kalispell, Montana 59901
2. Source of water supply Spring which is a tributary of _____
3. a. Location of point of diversion is 1/4 of Lot 3 1/4 of Section 14 Township 31N
Range 5W B.M. Nez Perce County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake River at a point in _____ 1/4
of Lot 3 1/4 of Section 14 Township 31N Range 5W B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Catch basin, 500 gallon holding tank, 200 feet of pipeline.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.
b. Estimated construction cost is \$ 500.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: 1/4 of Lot 3 1/4 of Section 14 Township 31N
Range 5W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water Two.
(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated_____

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

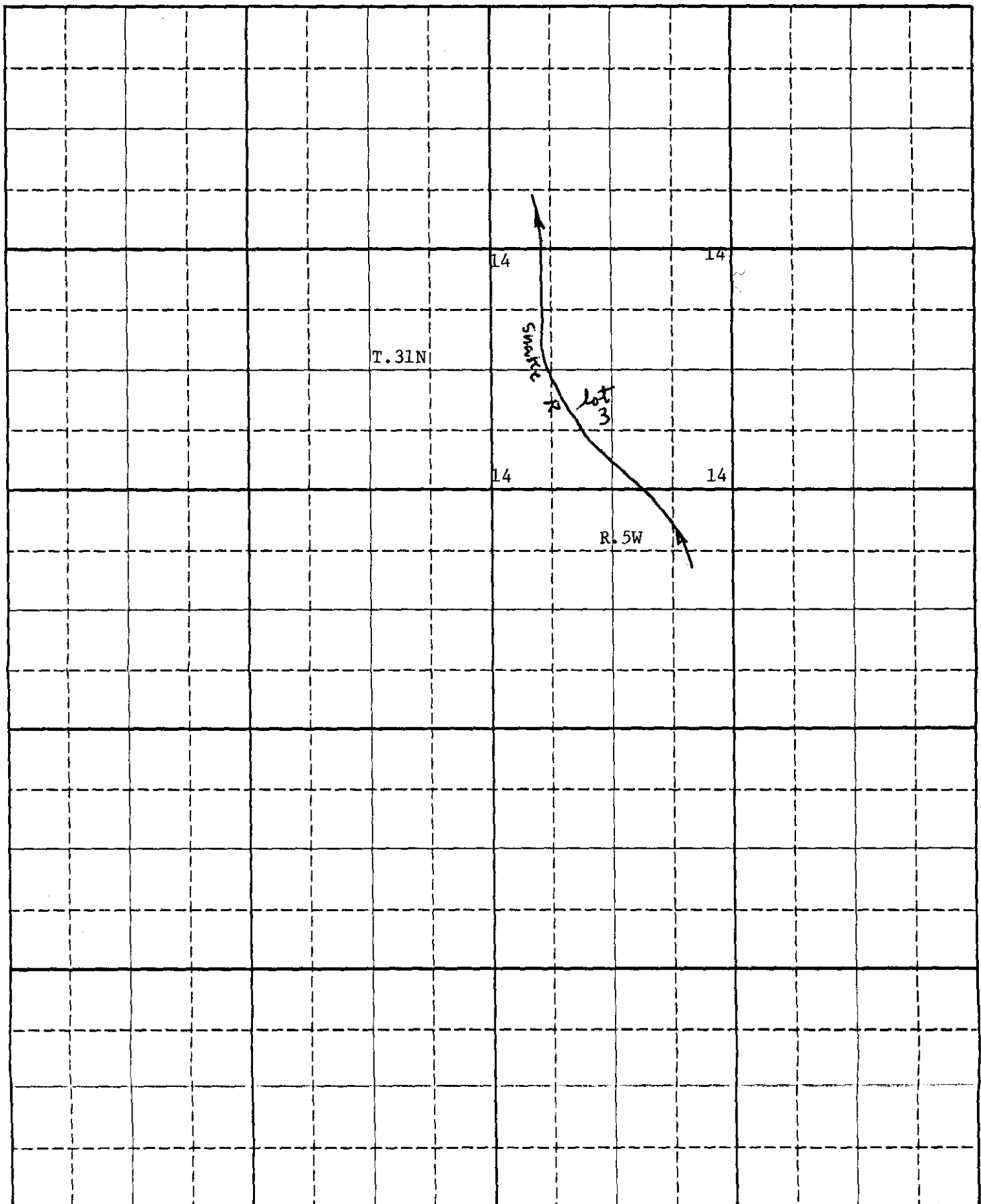
9. a. Who owns the property at the point of diversion _____ Applicant _____

1. Who owns the land to be irrigated or place of use	Applicant
--	-----------

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

10. Remarks _____

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.

Walter J. Anderson
(Applicant)

Proposed Priority: 8-28-1974

Received by mt Date 8-28-74 Time 9:00 am
Preliminary check by dr Fee \$ 10.00
Received by ig Date 8-28-74 (Rec't. #10)
Publication prepared by cp Date 9-6-74
Published in LEWISTON MORNING TRIBUNE
Publication dates 9-12 & 9-19-74
Publication approved cp Date 9-23-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by lys

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

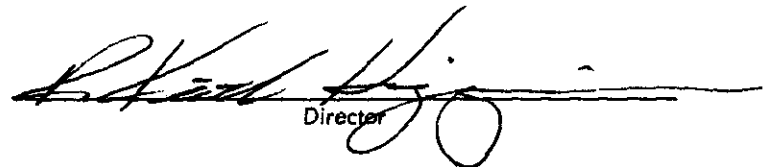
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of
Maine No. 85-7091 , and said application is hereby APPROVED .

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 November 1 , 19 75 .
- c. Other: _____

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

Witness my hand this 9 day of October 19 74 .


Director

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

A.E. Hall, being duly sworn
deposes and says, I am the Business Manager
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 Notice of Application
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for 2 consecutive weeks, the
first publication thereof being on the 12th day of
September, A. D. 1974, and the last publica-
tion thereof being on the 19th day of September,
A. D. 1974, and said Notice of Application
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.

Alvin E. Hall

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
19th day of September, 1974.

James W. Rich 8-28-76
Notary Public in and for the State of Idaho,
residing at Lewiston, Idaho.

FILED

ACI
TOR

X DIVERSION TOTAL = 14 319 054 101 03
D DIVERSION TOTAL = 9858 14 319 054 101 03

ACTION

N OWNER LAST NAME - ANDERSON

FIRST NAME - MERLIN J.

N

CITY - KALISPELL

STATE - MT

N SOURCE - SPRING

N STAGE - LICENSE

PRIORITY - 08-28-1974 COUNTY - NEZ PERCE TOTAL DIV. RATE - .0200CFS

N TOTAL DIV. VOLUME - .60 AFA

N DIVERSION POINT - 14 31N 05W LOT 03

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0200CFS USE DIV. VOLUME - .60 AFA

N USE - DOMESTIC

PLACE OF USE - TWN 31N RNG 05W SEC 14 TRACT NESW LOT 03

IDENT. NO. 85-7090

WATER RIGHT
DATA ENTRY LOG[illegible]

October 14, 1975

Re: Permit No. 85-7091

Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, MT 59901

Dear Mr. Anderson:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

RECEIVED
OCT 15 1975
MONTANA
DEPARTMENT OF
NATURAL RESOURCES
HELM

FIELD REPORT

Phone 756-6795

(name spring, stream, etc.)

OCT 7 1915

Department of Water Resources

Permit No. 85-7091

Examination for b/u

TOTAL ACREAGE

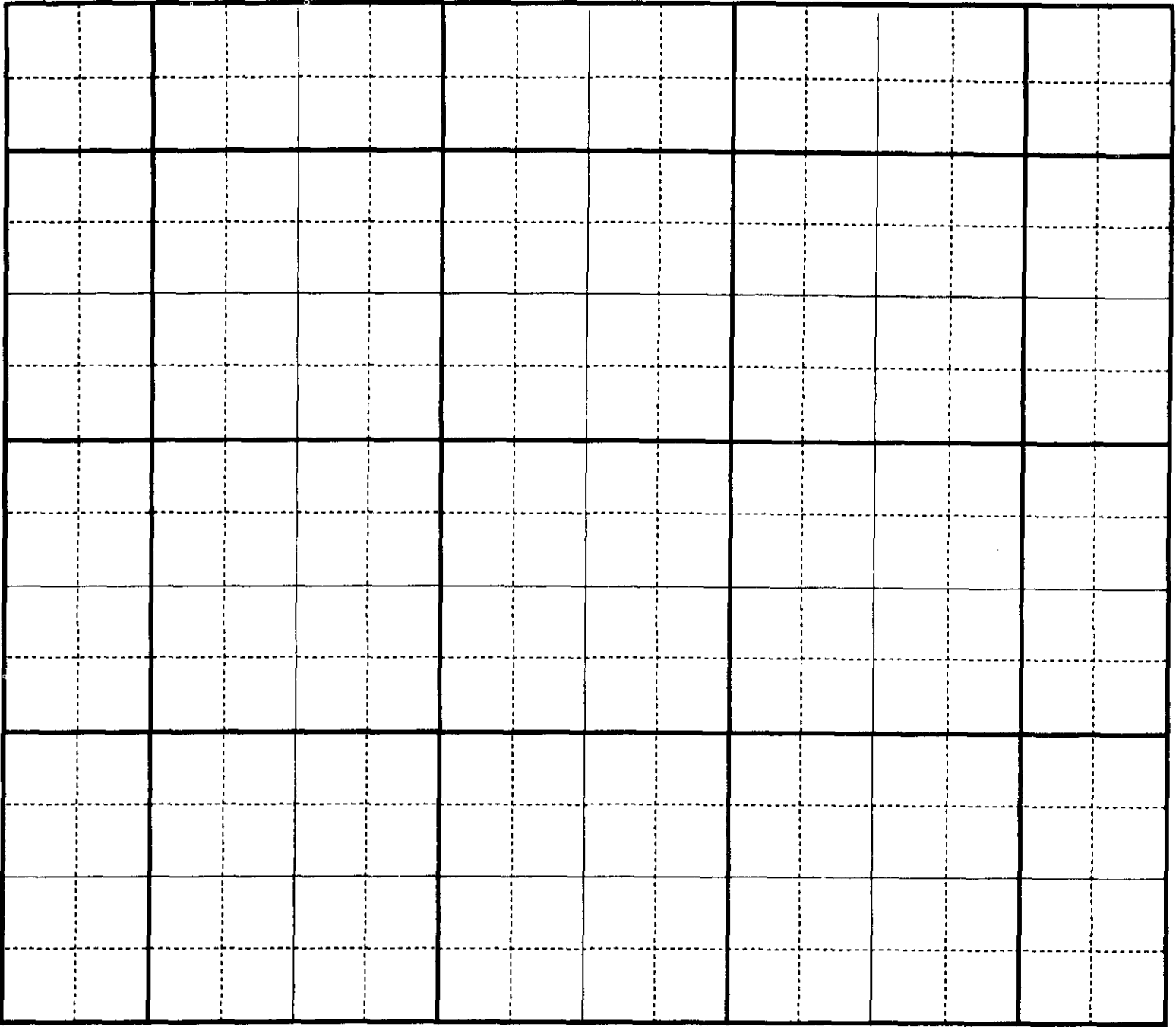


Diagram of System

DATE OF EXAM 10/3/75

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.02 c.f.s. V= 0.06 AF/Ann. from JAN 1 to DEC 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 0.02 Method of measurement ESTIMATED

Total Q recommended 0.02 Meter No. _____ Type _____ Condition _____

Total V recommended 8.06

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:
DOMESTIC USE ONE FAMILY - 0.02

SYSTEM DESCRIPTION:
300 GALLON STORAGE TANK WITH PIPELINE TO PLACE OF USE

REMARKS:

Examiner's Signature [Signature] Date 10/16/75
Checked by [Signature] Date 10/6/75
Approved by _____ Date _____

September 22, 1975

Re: Permit No. 85-7091

Mr. Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, Montana 59901

Dear Mr. Anderson:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in Coeur d'Alene.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Identification No. _____

Permit No. 85-7091

ok j

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Merlin J. Anderson
b) Post Office Address 1278 Trumble Creek Road .. Kalispell, Montana, 59901
2. Permit Number 85-7091
3. Date of Priority that you are prepared to establish 8-28-74
4. a) Source from which water was appropriated Spring
b) Location of the point of diversion: 1/4 Lot 3 1/4, Section 14
Nez Perce County
Township 31 N, Range 5 W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
0.004 CFS
1-3/4 Gal per minute
Amount 0.004 CFS for Domestic purposes from July 9 to Sept. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Will be used
Amount _____ for Domestic purposes from Jan 1 to Dec. 31 incl. yearly
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Fills 300 Gal. Tank in 2 hrs. 50 min.
Timed and measured by myself and two men who are college graduates: Merlin D. Anderson
and Ronald Andrews.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Catch basin cement-lined, 300 Gal storage tank, 2 in. pipe from basin to tank. 100 ft. 1 in. plastic pipe, 50 ft. of 3/4 pipe; stand pipe and tap. Approx. 50 ft. of fall from spring to tap.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 300 gal. tank.

c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Household use and yard irrigation.

9-22-75 j

mtb

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____
Yard surrounding house.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
31	N 5W	14	Government Lot 3																

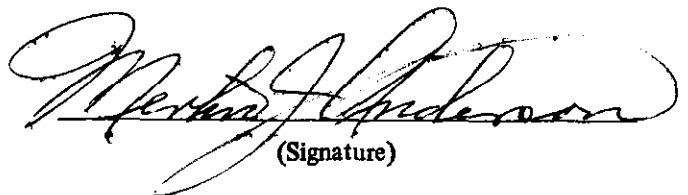
Total number of acres irrigated 1/2 acre

10. Remarks: Spring located and developed by self on own property for domestic
use year round.

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

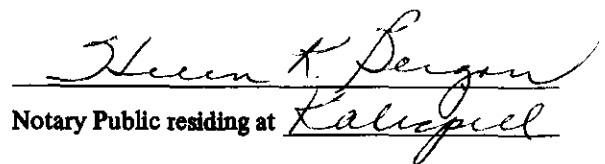
Sept. 15, 1975

(Date)


(Signature)

State of Montana)
County of Flathead) ss.

On this 18 day of Sept., 1975, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at Kalispell

My commission expires 1-27-76

9/1/75

RECEIVED

SEP 22 1975

Department of Water Resources

To Whom it May Concern :

This Letter is written to verify, That I Ron Andrews was employed on the 3rd, 4th, and 5th. of July, for the purpose of enstalling a water system. This system was located on a five acre parcel on snake river, app. 34 miles south of Lewiston. My employer was Merlin J. Anderson of Kalispell, Montana.

This time was spent in buying, Transporting, and installing said system. This system consists of a catch basin, a line connecting basin to a 290 gallon storage tank, and app. 130' of buried line from tank to building site.

In my estimation the Transportation, Time, and materials well exceed The cost needed to qualify for water right on said spring.

This project ~~for~~ was finished To the satisfaction of owner on 5th of July.

Sincerely,

Ronald J. Andrews

Notary

Ed D. Hancock



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

RECEIVED

September 2, 1975

CERTIFIED MAIL

SEP 22 1975

Department of Water Resources

Re: Permit No. 85-7091

*Two letters of proof that
had been notarized sent previously.*

Mr. Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, Montana 59901

*Letter 1. Signed Merlin J. Anderson
Letter 2. " Ronald L. Andrews
Letter 3. " Robert Sloan.*

Dear Mr. Anderson:

One of the conditions of approval of your water Permit No. 85-7091 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1975. Enclosed is an affidavit form which must 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 affidavit 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.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

WATER RESOURCE BOARD:

John F. Streiff
Chairman
Franklin Jones
Member

George L. Yost
Vice-Chairman
M. Reed Hansen
Member

Donald R. Kramer
Secretary
Scott W. Reed
Member

Edwin C. Schlender
Member
Joseph H. Nettleton
Member



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

September 5, 1975

Re: Permit No. 85-7091

Mr. Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, Montana 59901

Dear Mr. Anderson:

Thank you for your letter of September 4, 1975.

We are enclosing a form which is necessary in the completion of your proof of beneficial use of water under this permit. We are sorry for not having sent one to you in our earlier letter.

Be sure to return it to this office on or before November 1, 1975, as that is the date that proof of beneficial use is due.

Sincerely,

A handwritten signature in cursive script that reads "Janice F. Rohm".

JANICE F. ROHM
Secretary

JFR

Enclosure



MERLIN J. ANDERSON
1278 Trumble Creek Road
Kalispell Montana 59901



RETURN RECEIPT
REQUESTED

State of Idaho
Dept. of Water Resources
attn. Bobby D. Heuser
Chief of Water Rights
Statehouse Annex 2
Boise, Idaho
83707

Kalispell, Mont.
July 30, 1975

RECEIVED

SEP 4 1975

Department of Water Resources

STATE OF IDAHO

Dept. of Water Resources

Attn: Bobby D Fleenor, Chief Water rights

Dear Sir:

This is to inform you that we have met the conditions of approval as listed on page four of the application for permit No. 85-7091 filed with you last September and referred to in your letter of Oct. 16, 1974.

As proof of construction of works and application of water to beneficial use, I am enclosing the notarized statements of two of the men who assisted me and worked on the project.

Also, I am enclosing a list of and cost of materials used. The water at present is being used for drinking and household use, but will also be used for irrigation of fruit trees, grape vines and garden next spring.

Moving pictures were taken of project but did not have a "still" camera. Pictures available if necessary; also cancelled checks for materials. (Somehow, I lost the invoices of materials).

I hope that this is satisfactory.

Yours Truly,

Merlin J. Anderson
Merlin J. Anderson

Enclosed is sketch of project.

*If further Confirmation or proof is needed
please call Ron Andrews Owner and mgr Sun
Down Motel, Kamiah Idaho. ph. 208-935-2568.*

*Thank you for your kind
Attention.*

MERLIN J. ANDERSON
1278 Trumble Creek Road
Kalispell, Montana 59901

Merlin J. Anderson

Storage Tank - - - - -	\$169.00
Plastic Pipe 100' x 1"	8.95
Plastic Pipe 100' x 3/4"	7.95
" " 12' x 2"	2.00
Visqueen plastic	2.00
Nails	2.00
Plywood	18.00
2 x 4s 12 @ 30¢	3.60
2 sacks cement @ 3.50	7.00
Stand pipe 4' x 3/4"	2.50
Garden faucet	3.49
Misc. fittings; clamps, etc.	10.00

Total Materials
\$236.49

Labor 48 hours @ \$6.00 288.00

Total Cost
\$524.49

Plus cost of transportation

August 5, 1975

Department of Water Resources
State of Idaho
Boise, Idaho

Dear Sirs:

This letter is to serve as documentation in support of the claim for water rights made by Merlin J. Anderson, Kalispell, Montana.

I am a property owner and taxpayer in Nez Perce County. Between the dates of July 9-12, 1975 I personally worked to improve the water resource being claimed. This included the transportation of a water tank, pipe, fittings, and equipment to the site as well as the labor to install the system.

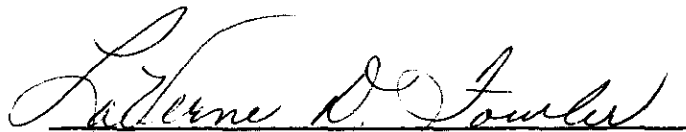
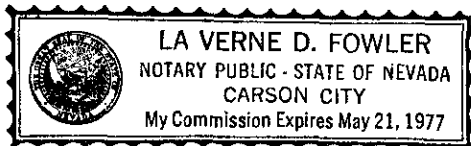
The system consists of a collecting basin with a cement liner, pipe to the holding tank (approximately 300 gallons), and approximately 150 feet of pipe to a standpipe and faucet. It required an appreciable amount of excavation work to set up the catch basin and to place the tank. It is my estimate that the cost of the project including labor and materials exceeded \$525. (five hundred and twenty-five dollars).

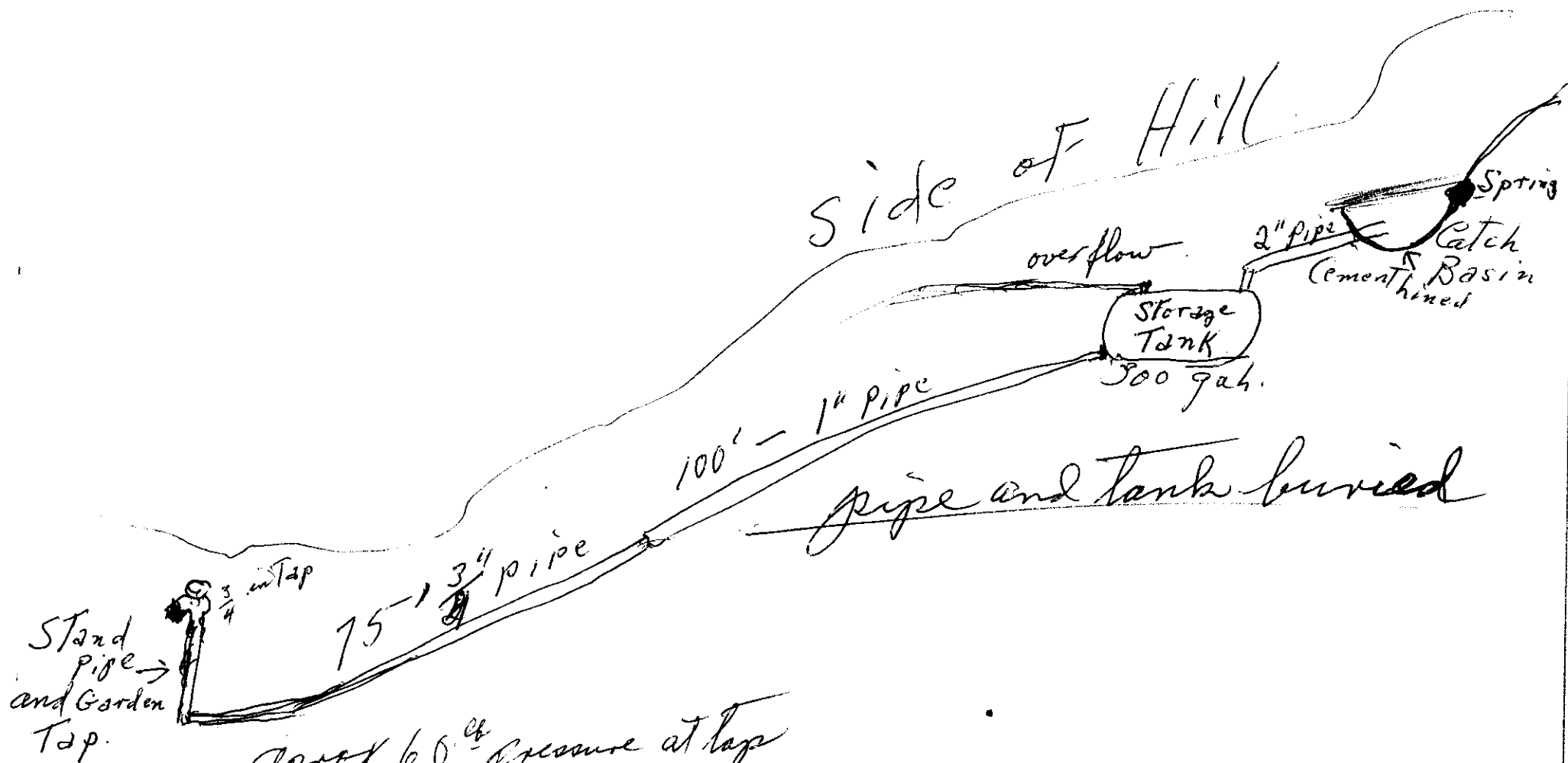
I affirm that the foregoing statement is true and correct to the best of my knowledge and belief.

Sincerely,



Merlin D. Anderson


Notary Public



Approx 60^{lb} pressure at tap
Runs 36 min at full force
to drain tank.
Tank refills in 4 hrs

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS 10-96

SENDER INSTRUCTIONS (10-96)

Post your name, address and zip code on the outer envelope.
Complete items 1 and 2 on form 3849.
Insert business reply and return to item 11-1000.



USE IT TO MAIL BUSINESS REPLY
POSTAGE \$3.00
11-1000

RETURN

to

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

87228

(Always obtain signature of addressee)

I have received the article described above.

SIGNATURE

Robert J. [Signature]

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

**ALWAYS USE
ZIP CODE**



**RETURN
TO**



September 2, 1975

CERTIFIED MAIL

27228

Re: Permit No. 85-7091

Mr. Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, Montana 59901

Dear Mr. Anderson:

One of the conditions of approval of your water Permit No. 85-7091 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before November 1, 1975. Enclosed is an affidavit form which must 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 affidavit 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

October 16, 1974

Re: Permit No. 85-7091

Mr. Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, Montana 59901

Dear Mr. Anderson:

Enclosed is a copy of your approved Application for Permit No. 85-7091. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

RECEIVED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 85-7091

☒ 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) FB 9/4/74 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
- (4) FB 9/4/74 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) CP 9/23 Affidavit of Publication received(date) SEPT. 20, 1974
- (12) CP 9/6 Final date for protests SEPT. 30, 1974
Protests received: yes _____ no ☒
- (13) FB 9/30/74 All requested information received from agencies or
applicant: yes ☒ no _____
- (14) FB 7/30 Action recommended:
☒ Approve _____ Deny
8/28/74 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 Conrad DATE 9/30/74

MICROFILMED

Department of Water Resources

Thank you so much
for your interest and
help. I do appreciate it.

M. J. A.

MICROFILMED

September 6, 1974

Re: Application No. 85-7091 - Merlin J. Anderson
" " 85-7092 - Dwain L. Braucher

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 9-23-74 by CP

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merlin J. Anderson,
1278 Trumble Creek Road, Kallispell, Montana
has on August 28, 1974 submitted Application No. 85-7091
for a permit to appropriate 0.02 cubic feet per second ~~XXXXXXX~~
of water from a Spring
by means of catch basin, tank, and pipeline
within ~~the~~ Lot 3, Sec. 14, T. 31N, R. 5W, B.M., Nez Perce County

to be used from Jan. 1 to Dec. 31
for domestic purposes

within ~~XXXX~~ Lot 3, Sec. 14, T. 31N, R. 5W, 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, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before Sept. 30, 1974.

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho
on Sept. 12 and Sept. 19, 1974

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September 6, 1974

Re: Application for Permit No. 85-7091

Mr. Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, Montana 59901

Dear Mr. Anderson:

Attached is your receipt No. 10 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Attachment

MICROFILMED

September 4, 1974

Mr. Merlin J. Anderson
1278 Trumble Creek Road
Kalispell, Montana 59901

Dear Mr. Anderson:

We have begun processing your Application for Permit; however, we have taken the liberty of typing it for your convenience and we are returning it for your review and signature.

After reviewing all items on the application, please sign at the bottom of Page 3 and return it to our office. Feel free to contact us if there are any questions in this matter.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosure

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Identification No. 85-7091

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Merlin J. Anderson Phone: 256-6795
post office address 1378 Trumbhe Creek Rd, Kalispell, Mont. 59901
2. Source of water supply Spring which is a tributary of _____
3. a. Location of point of diversion is Lot 3 of Lot 3 1/4 of Section 14 Township 31 N.
Range 5 W. B.M. Nez Pierce County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Snake River at a point in 6184 1/4
of Lot 3 1/4 of Section 14 Township 31 N. Range 5 W. B.M. Nez. Pierce County

4. Water will be used for the following purposes:

Amount .02 for domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

- a. .02 cubic feet per second and/or
b. .02 acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Catch basin, 500 gal.
Holding Tank - 200' pipe line

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

- b. Estimated construction cost is \$ 7500.

8. Description of proposed uses:

- a. If water is **not** for irrigation:

- (1) Give the place of use of water: 6184 1/4 of Lot 3 1/4 of Section 14 Township 31 N.
Range 5 W. B.M.

- (2) Amount of power to be generated: _____ hp under _____ feet of head.

- (3) List number of each kind of livestock to be watered _____

- (4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 2.

- (5) If water is to be used for other purposes describe: Yard and garden

MICROFILMED

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

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 $\frac{1}{4}$	

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 Merlin J. Anderson

b. Who owns the land to be irrigated or place of use Merlin J. Anderson

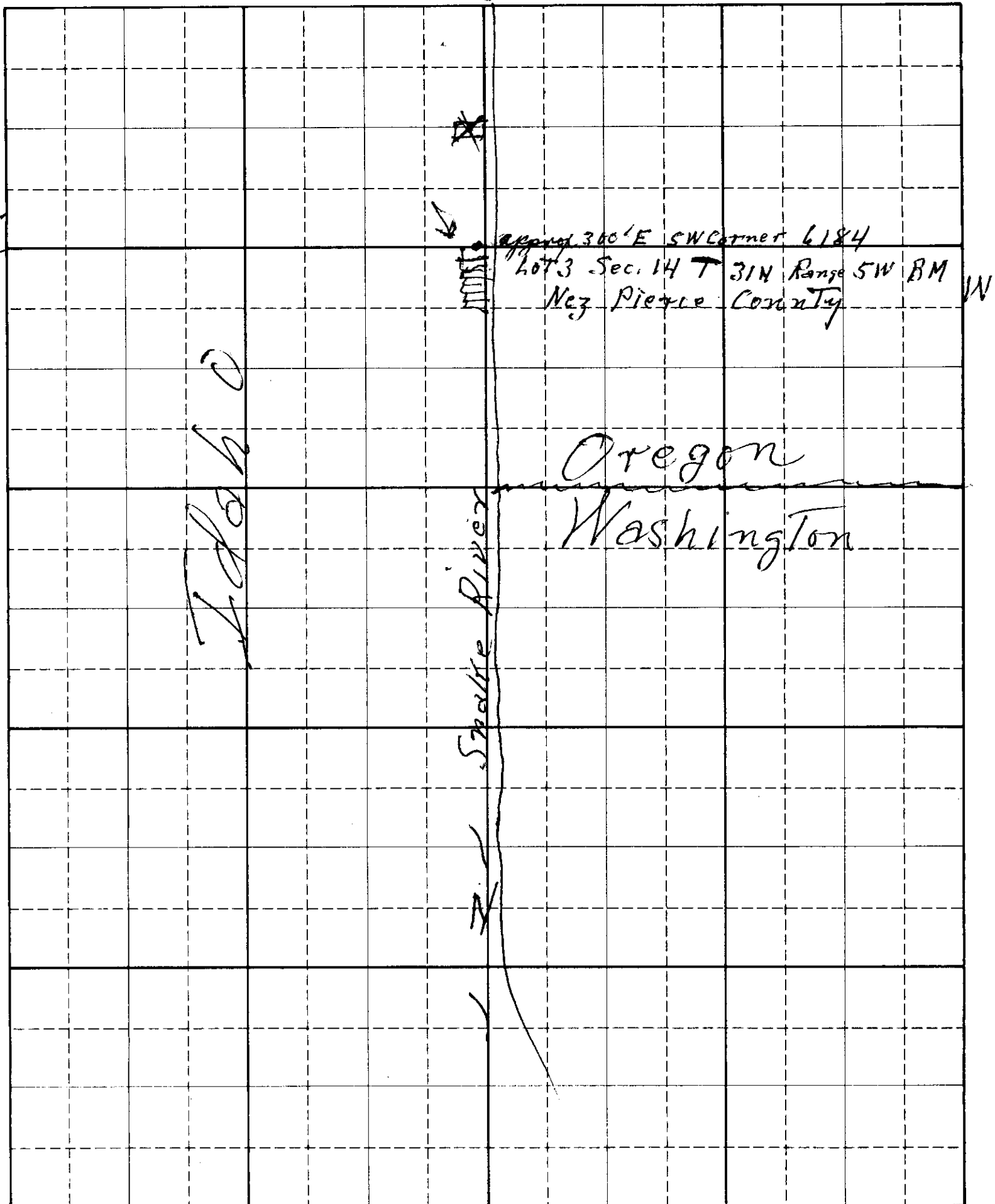
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

Opened up this spring in summer of 1974. Desire to use the water for domestic use and for irrigating trees and garden. To be used by myself or my children.

Location of Spring approx 300' E of S.W. corner
Sec 14 T 31N R 5W. B.M.
Nez Pierce County

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.

Verly Anderson
(Applicant)

Received by mt Date 8-28-74 Time 9:00 AM
Preliminary check by h Fee \$ 10.00
Receipted by h Date 8-28-74 # 10
Publication prepared by cp Date 9-6-74
Published in Lewiston Morning Tribune
Publication dates 9-12 & 9-19-74
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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

Witness my hand this _____ day of _____ 19____.

Director

Aug. 7, 1974
Kaliqell, Mont.

RECEIVED

Mr. Keith R. Higgins
Director of Water Adm.
State House Annex #2
Boise, Idaho 83720

AUG 19 1974

Department of Water Resources

RECEIVED

AUG 22 1974

Dear Sir:

Dear Sir:

In 1972 I purchased
a parcel of land on the Snake
River Above Lewiston Idaho:

This past summer I discovered
and opened up a small spring on
the said property.

I would like to file a Claim
on the water rights of this spring
(to be known as Andersons Spring)
for household purposes.

The spring is located approx.
300 ft East of the S. W. Corner of
Lot No 6 Section 14, Township
31 N. Range 5 West Boise, Meridian
Nes Pierce County, Idaho.

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I would appreciate your
sending me necessary forms
or whatever is required.

My wife and I plan
on building a retirement home
on above property in the near
future.

Thank you for your
prompt attention.

Merlin J. Anderson
1278 Trumble Creek Rd
Kalispell 59901
Mont.

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Application sent 8-22-74. 40
