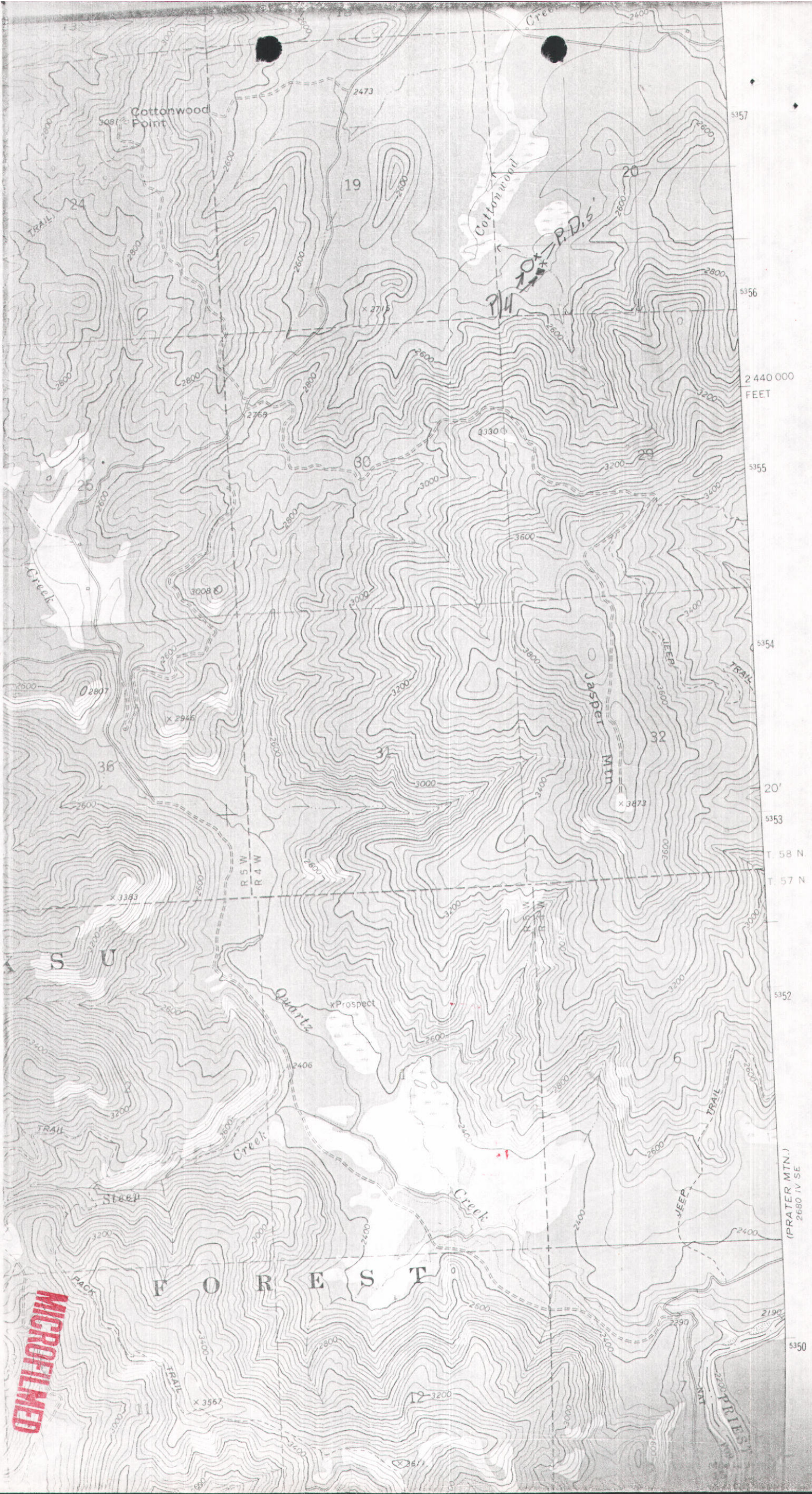




MICROFILMED

FOREST

(PRATER MTN.)
2680 IV SE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 97-7102 Priority (late proof)
August 4, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that Dan Zebell
of Priest River, Idaho, has complied with the terms and conditions of Permit
No. 97-7102 issued pursuant to Application for Permit dated July 15, 1977,
and has submitted proof to the Department of Water Resources on May 21, 1979,
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 0.04 cfs of water from unnamed creek,
tributary to sinks, 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
Irrigation	April 1 to October 15	0.02	1.5 acre feet
Stockwater from	January 1 to December 31	0.02 cfs and	0.2 acre feet
Diversion to	January 1 to December 31	0.02 cfs and	n/a
Storage for	January 1 to December 31	n/a cfs and	1.0 acre feet
Recreation	January 1 to December 31	n/a cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
2.7 acre feet per year, said waters to be diverted within the (2 points) SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section
20, Twp. 58N, Rge. 4W in the County of Bonner

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 $\frac{1}{4}$	
58N	4W	20																	1

Total number of acres irrigated 1

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 29th day of
April, 19 82.

Acting for the Director

Norman C Young

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 97-7102)

IN THE NAME OF DAN ZEBELL)

ORDER OF REINSTATEMENT

WHEREAS, on July 15, 1977, Dan Zebell filed with the Department of Water Resources an application for permit to appropriate .08 cubic feet per second from a river source to be diverted within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20, Twp. 58N, Rge. 4W, B.M., Bonner County, to be used for stock, domestic, irrigation, and fish culture purposes; and,

WHEREAS, on April 27, 1978, the Department approved said application and issued Permit No. 97-7102 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before May 1, 1979; and,

WHEREAS, on February 28, 1979, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on May 15, 1979, the Department notified the permit holder that Permit No. 97-7102 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on May 21, 1979;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 97-7102 be REINSTATED and the priority advanced to August 4, 1977.

Dated this 29th day of June, 1979.


L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

Identification No. _____

Application No. 97-7102

**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 DAN ZEBELL Phone: NOVIE
post office address RT 5 Box 101 PRIEST RIVER, IDA
2. Source of water supply UNNAMED CREEK which is a tributary of SINKS
3. a. Location of point of diversion is SW ¼ of SW ¼ of Section 20 Township 58 N
Range 4 W B.M. BANNER County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into UNNAMED CREEK at a point in SW ¼ of SW ¼ of Section 20 Township 58 N Range 4 W B.M. _____
4. Water will be used for the following purposes:
Amount .03 for STOCK purpose from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for IRRIGATION purpose from APR 1 to OCT 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1.0 for FISH CULTURE purpose from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum) (recreation) is per minute
5. Total quantity to be appropriated:
a. .08 cubic feet per second and 1 acre feet per annum.
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. EARTH DAM, 8 FEET HIGH, 125 FEET LONG, 30 FEET WIDE AT THE BASE, 10 FEET WIDE AT THE TOP - 4 HP PUMP
b. Height of storage dam 8 feet, active reservoir capacity .25 acre feet; total reservoir capacity .25 acre feet, materials used in storage dam: EARTH
Period of year during which storage will occur JAN 1 to DEC 31 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 \$ 250.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW ¼ of SW ¼ of Section 20 Township 58 N
Range 4 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 20 GOATS, 2 PIGS, 20 FOWL
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.
(5) If water is to be used for other purposes describe: FISH CULTURE AND RECREATION

RECEIVED

10. Remarks -

applicant to make this filing-

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

9. a. Who owns the property at the point of diversion -

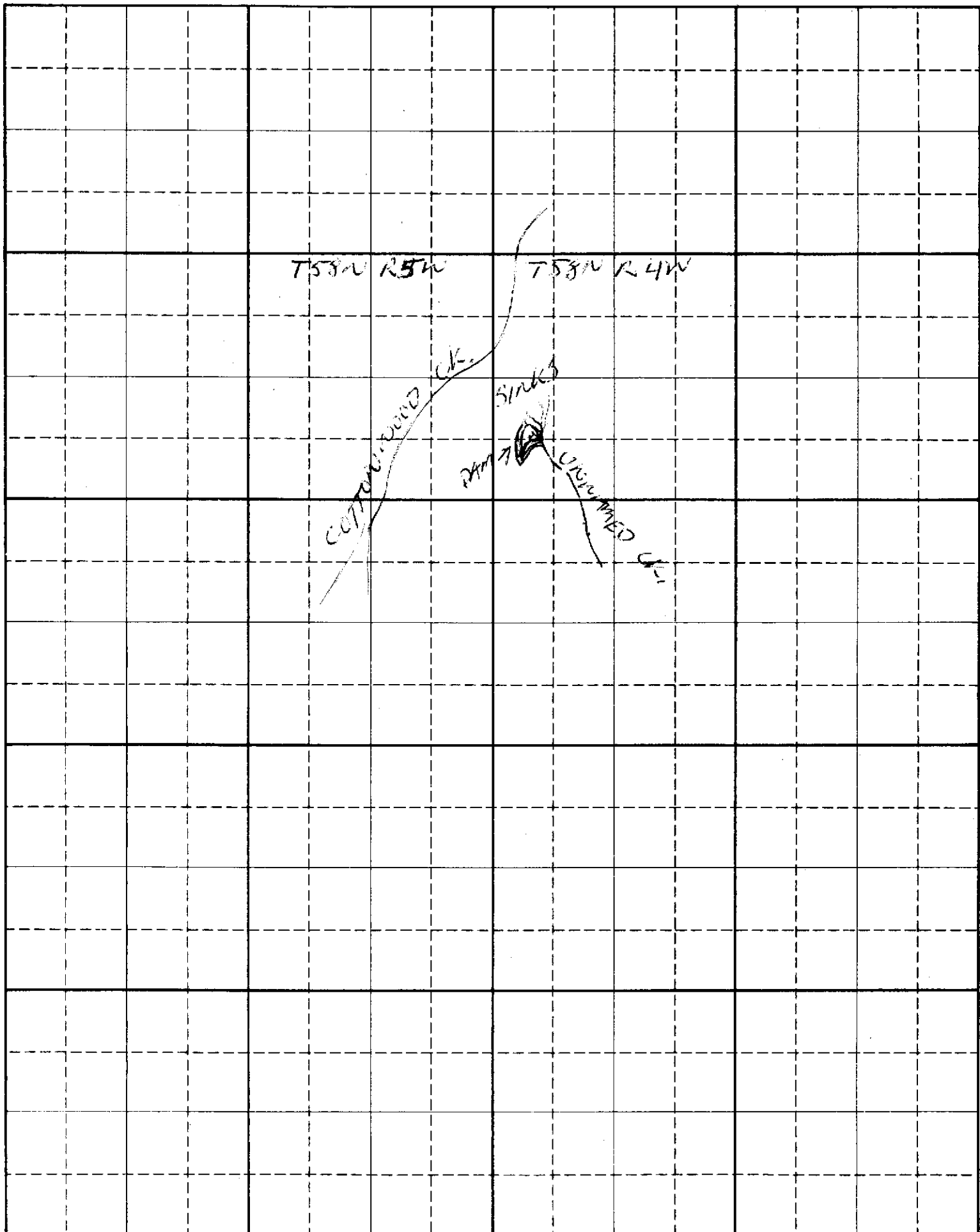
c. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated-

[illegible]

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

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.

Don Z. Bell
(Applicant)

Proposed 97-15-77
Priority

Received by [Signature] Date 7-15-77 Time 10:00

Preliminary check by 36 Fee \$ 10.00

Received by 36 Date 7-15-77 # 5658

Publication prepared by [Signature] Date 7-18-77

Published in Post-Run Times

Publication dates 7-08-77 8-4-77

Publication approved [Signature] Date 8-15-77

Priority reduced to _____ Reason _____

Protests filed by W.M. Tuntilla

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by [Signature]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 97-7102 and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1979.

c. Other: _____

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

Witness my hand this 27th day of April 1978.

Administrator

[Signature]

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

being duly sworn, says that he is the publisher
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been
continuously and uninterruptedly published in said County during
a period of 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general cir-
culation made up of at least eight pages of at least seven columns
each, printed from typematter or stereotyped forms of at least
nineteen and three-fourths inches depth, has at least 1250 bona fide
subscribers living within said Bonner County, and is published at
regular weekly intervals. That the annexed is a true copy of the
notice for publication in the case of

Application-Water Permit No. 97-7102

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 28 day of July, 1977,

~~xxx~~

ending on the 4 day of August, 1977,

and that said notice was published in said newspaper proper, and
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

10 day of Aug, 1977.

Adell M Thompson

Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Dan Zebell Rt 5 Box 101, Priest
River, Id has on July 15 1977
submitted Application No. 97-
7102 for a permit to appropriate
0.08 cubic feet per second & 1
acre feet per annum of water
from an unnamed creek by
means of dam, pump and
pipeline within the SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 20 T58N R4W, B.M. Bonner
County to be used from Jan 1 to
Dec 31 for domestic, (0.04 cfs),
stockwater (0.02 cfs) and
storage for fish culture (1.0 af-
an) and from April 1 to Oct 15
for theirrigation of $\frac{1}{2}$ acre (0.02
cfs) within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 20
T58N, R4W, 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 August 15,
1977.

C. STEPHEN ALLRED

Director

Published in the Priest River
Times, Priest River, Id on July
28 and Aug. 4, 1977.

OK
8-15-77
B

MICROFILMED

June 9, 1982

RE: Permit No. 97-7102

Dan Zebell
3269 Lynn Oaks Dr.
San Jose, CA 95117

Dear Mr. Zebell:

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



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

May 19, 1982

RE: Permit No. 97-7102

Dan Zebell
3269 Lynn Oaks Dr.
San Jose, CA 95117

Dear Mr. Zebell:

A representative of this Department has made an examination of the works covered by your Permit No. 97-7102, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: unnamed creek trib. to sinks

The maximum quantity diverted shall not exceed 2.7 acre feet
per year.

Point(s) of diversion: (2 points) SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, Twp. 58N, Rge. 4W,
Bonner County

Beneficial use: Irrigation, Stockwater, Diversion to Storage, Storage for
Recreation within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 58N, Rge. 4W

Priority date established: August 4, 1977 (late proof)

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,

IM JOHNSON
Water Distribution Supervisor

JJ:kw

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

April 16, 1982

RE: Permit No. 97-7102

Dan Zebell
Box 295
Priest River, ID 83856

Dear Mr. Zebell:

A representative of this Department has made an examination of the works covered by your Permit No. 97-7102, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: unnamed creek trib. to sinks

The maximum quantity diverted shall not exceed 2.7 acre feet per year.

Point(s) of diversion: (2 points) SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 58N, Rge. 4W, Bonner County

Beneficial use: Irrigation of 1 acre, Stockwater, Diversion to Storage,
Storage for Recreation within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 58N, Rge. 4W

Priority date established: August 4, 1977 (late proof)

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,

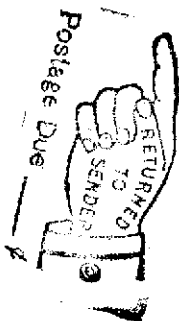
JIM JOHNSON
Water Distribution Supervisor

RECEIVED

APR 23 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



RETURNED
TO SENDER
FIRST CLASS

Dan Zebell
~~Boise~~
Priest River, ID 83856

POSTAGE WILL BE PAID BY ADDRESSEE
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES
7-14-77



MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

April 16, 1982

RE: Permit No. 97-7102

Dan Zebell

Box 295

Priest River, ID 83856

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The maximum quantity diverted shall not exceed 2.7 acre feet per year.

Point(s) of diversion: (2 points) SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 58N, Rge. 4W, Bonner
County

Beneficial use: Irrigation of 1 acres, Stockwater, Diversion to Storage,
Storage for Recreation within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, Twp. 58N, Rge. 4W

Priority date established: August 4, 1977 (late proof)

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

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

SEP 28 1981

Department of Water Resources

97-7102

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 9-14-81 Accompanied by App Total Q measured ~
If source is surface water, estimate total flow of source .5 cfs
Methods of measurement Est/Calc Meets Permit requirements?

Measurement calculations:

Storage Pond

$$\frac{125' \times 100' \times 10'}{43560} = 0.96 \text{ AF}$$

garden w/ lawn type oscillator sprinklers (3) @ 3 gpm = 9 gpm
2.02 Div to storage for stock & Rec

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

System Description 3HP Gas Pump with garden hoses to garden. 8" x 6" ditch
to pond 125' x 100' x 10' pond

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

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0 AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
<u>Diversion to storage</u>	<u>0.02</u>		<u>1-1</u>	<u>12-31</u>
<u>Stock</u>	<u>1.02</u>	<u>2</u>	<u>1-1</u>	<u>12-31</u>
<u>Storage for Recreation</u>		<u>2.0</u>	<u>1-1</u>	<u>12-31</u>
<u>Irrigation</u>	<u>0.02</u>	<u>1.5</u>	<u>4-1</u>	<u>10-15</u>
Total	<u>OH</u>	<u>2.7</u>	<u>1-1</u>	<u>12-31</u>

Remarks App written improperly No change in use.

MAIL LICENSE to
3269 Lynn Oaks Dr.
San Jose, Ca. 95117

Portable pump moved to various points along stream
Due to the fact that the Application was filed
prior to memo on storage no Amendment is required.

28-577

9/23/81

9-15-87

Recommendations:

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

☐ Add P.D. as reflected above

☐ Add P.U. as reflected above

☒ None

Recommended Amendments:

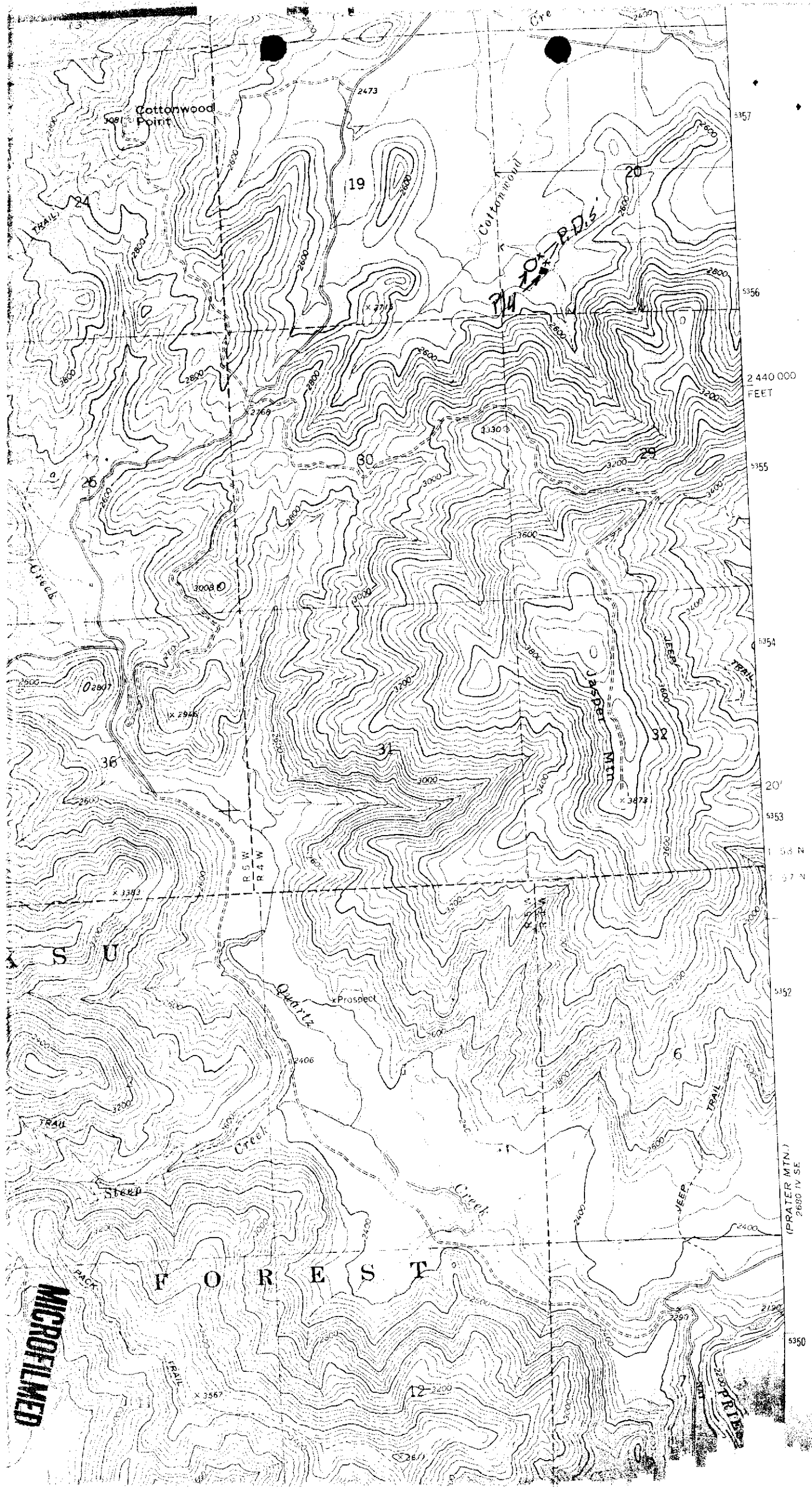
[illegible]~~Place(s) of Use~~

Point(s) of diversion (2 points) 5W3W, 5.20, 158N, 24W

SCHEMATIC DIAGRAM OF SYSTEM

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

MAP (Attach Aerial Photo)



MICROFILMED

(PRATER MIN.)
2680 N. SE



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

July 2, 1979

Dan Zebell
Route 5, Box 101
Priest River, ID 83856

Dear Mr. Zebell:

Re: Permit No. 97-7102

We are in receipt of your statement of beneficial use for Permit No. 97-7102 and the letter in which you had several questions about your permit.

Let me take a moment to answer the four questions you have identified.

First, you mention that your project was completed before you filed the permit. In Idaho, if you want to establish a recorded water right, it is necessary to file an application for a permit. There is one exception regarding private water, however, your application indicates that the source you are using is an unnamed creek, which would be considered public water. Therefore, an application for permit is necessary. A license will be issued to you after you submit to the Department evidence (statement of beneficial use) that the water has been developed according to your permit. A field exam will be conducted by departmental personnel prior to the issuance of a license.

Secondly, you mentioned that you understand the time limit for completion of the requirements of the permit to be five years. It is true that you have up to five years upon request, however, your application indicates a request for one year (see Item 7a). On page four of your application, the approval indicates that proof of construction of works and application of water to beneficial use is due on May 1, 1979.

Thirdly, you indicate that the water is to be used only for domestic use. This water use will be reflected on the license issued to you by the Department.

As to your fourth question regarding the necessity of filing a permit when using a very small pond, it is true that water used from a very small pond need not be identified; however, the diversion to the pond and the water used for domestic still requires a water permit.

MICROFILMED

I hope that this answers some of your questions. Now that the statement of beneficial use has been submitted, we will be sending an examiner out to look at your system. We are enclosing a copy of the reinstatement order which is necessary because the statement of beneficial use was submitted after May 1, 1979.

If you have further questions, please contact this office.

Sincerely,

JIM JOHNSON
Acting Supervisor, Water Allocation Section

JJ:rf

Enclosure

RECEIVED
JUL 1 1979

WATER RIGHT NUMBER 97-7102

OWNER LAST NAME - ZEBELL
ADDRESS LINE 1 - Rt. 5 BOX 101 3269 Lynn Oaks Dr.
ADDRESS LINE 2 -
ADDRESS LINE 3 -
SOURCE - UNNAMED STREAM
STAGE - PERMIT
TOTAL DIV. VOLUME - 2.7 +00 AFA TRER/AMEND -
DIVERSION POINT - SWSW 20 58N 04W LOT KEDIV -
FROM - 04-01 TO - 10-15 USE - IRRIGATION
FROM - 01-01 TO - 12-31 USE - STOCKWATER
FROM - 01-01 TO - 12-31 USE - RECREATION STORAGE
FROM - 01-01 TO - 12-31 USE - PUMPER
FROM - 01-01 TO - 12-31 USE - FISH PROP. STORAGE HS
USE - IRRIGATION
PLACE OF USE - TWN 58N RANG 04W SEC 20 TRACT SWSW LOT AC 01
DEGREE NAME -
REMARKS - AC. IRR. 2.5.
X4L REINSTATED 6-29-1979. 2/00 in
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 05-01-1979 PERMIT/DENIED - 04-27-1978 PROTESTED -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - DAM & PUMP.

1-1 12-31

,02 cfs

TOTAL ACRES

1

IDENT. NO.

IDENT. NO. 99-7102

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

WATER RIGHT
DATA ENTRY LOG

Initials

Date _____

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

License update

D.W.

12-28-79

6/21/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

July 13, 1979

Mr. Dan Zebell
Box 255
Priest River, Idaho 83856

RE: 97-7102

Dear Mr. Zebell:

We acknowledge receipt of your statement of completion of water development and 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 do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,


TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office



July 2, 1979

Dan Zebell
Route 5, Box 101
Priest River, ID 83856

Dear Mr. Zebell:

Re: Permit No. 97-7102

We are in receipt of your statement of beneficial use for Permit No. 97-7102 and the letter in which you had several questions about your permit.

Let me take a moment to answer the four questions you have identified.

First, you mention that your project was completed before you filed the permit. In Idaho, if you want to establish a recorded water right, it is necessary to file an application for a permit. There is one exception regarding private water, however, your application indicates that the source you are using is an unnamed creek, which would be considered public water. Therefore, an application for permit is necessary. A license will be issued to you after you submit to the Department evidence (statement of beneficial use) that the water has been developed according to your permit. A field exam will be conducted by departmental personnel prior to the issuance of a license.

Secondly, you mentioned that you understand the time limit for completion of the requirements of the permit to be five years. It is true that you have up to five years upon request, however, your application indicates a request for one year (see Item 7a). On page four of your application, the approval indicates that proof of construction of works and application of water to beneficial use is due on May 1, 1979.

Thirdly, you indicate that the water is to be used only for domestic use. This water use will be reflected on the license issued to you by the Department.

As to your fourth question regarding the necessity of filing a permit when using a very small pond, it is true that water used from a very small pond need not be identified; however, the diversion to the pond and the water used for domestic still requires a water permit.

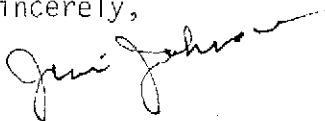
MICROFILMED

Dan Zebell
June 29, 1979
Page 2

I hope that this answers some of your questions. Now that the statement of beneficial use has been submitted, we will be sending an examiner out to look at your system. We are enclosing a copy of the reinstatement order which is necessary because the statement of beneficial use was submitted after May 1, 1979.

If you have further questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson", written in dark ink.

JIM JOHNSON
Acting Supervisor, Water Allocation Section

JJ:rf

Enclosure

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. 97-002 ^{late}

Name(s) of Permit Holder: DAVE ZEBELL

Post Office Address: BOX 295
PRIEST RIVER

Source of Water: _____

Extent of Use: ☒ Domestic 1 (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.

44 18 1979
Date

Dave Zebell
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

MAY 21 1979

Department of Water Resources

97-1102

Rita

RECEIVED

MAY 20 1979

DEAR SIR:

Department of Water Resources

I DONT UNDERSTAND YOU

- ① MY PROJECT WAS COMPLETED BEFORE I FILED FOR A PERMIT.
- ② AT THE TIME YOU GAVE MY PERMIT I UNDERSTOOD THAT THE TIME LIMIT FOR COMPLETION WAS FIVE YEARS. ONLY 2 YEARS HAVE PASSED
- ③ I NO LONGER USE WATER FOR STOCK OR IRRIGATION PURPOSES. DOMESTIC USE ONLY.
- ④ BECAUSE OF THE SMALL SIZE OF MY POND I DIDNT NEED A PERMIT IN THE FIRST PLACE, THUS STATES YOUR WATER USERS HAND BOOK

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

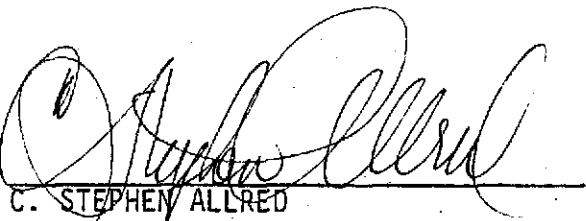
May 15, 1979

Dan Zebell
Route 5, Box 101
Priest River, ID 83856

Dear Mr. Zebell:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 97-7102 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated February 28, 1979.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.


C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

CERTIFICATION OF MAILING

I hereby certify that on 5/15/79
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



RECEIVED
MAY 16 1979



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

C. STEPHEN ALLRED
Director

CERTIFIED MAIL

100-693

February 28, 1979

Re: Permit No. 97-7102

Dan Zebell
Route 5, Box 101
Priest River, ID

Bear Mr. Zebell:

One of the conditions of approval of your water Permit No. 97-7102 (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 May 1, 1979. 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.


RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

April 28, 1978

Re: Permit No. 97-7102

Dan Zebell
Route #5
Box 101
Priest River, ID

Dear Mr. Zebell:

Enclosed is a copy of your approved Application for Permit No. 97-7102. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Tom King

DATE 4-6-78

TO File.

SUBJECT 97-7102

The storage for fish culture is a recreational use and not for commercial purposes.

The storage is an on stream storage.

Tom King
SIGNATURE

MICROFILME

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ 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) JK 7/15/77

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) JK 7/15/77

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: Protest withdrawn none kw
See TK Memo on field inspection

(11) B _____

Affidavit of Publication received (date) 8-15-77

(12) _____

Final date for protests 8-15-77

Protests received: yes ☒ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

7-15-77 Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of
approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 2-9-78

RECEIVED

APR 10 1978

Department of Water Resources

NOT RECORDED

February 7, 1978

RE: Application No. 97-7102

Dan Zebell
Rt 5 Box 101
Priest River, Id 83856

Dear Mr Zebell,

We have received a withdrawal of his protest of your application from Wm Juntitila today. Therefore, we are cancelling the hearing set for February 15, 1978. Your application is being forwarded to Boise for further processing and you should receive your approved permit within 6-8 weeks.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

ALEA BEITO
Secretary

AB

RECEIVED
FEB 10 1978
FBI

W. William M. Jewett
P.O. Box 100
Trust River, Idaho
Feb. 4th 1978

Mr Robert Wayne P. E.
Regional Supervisor:

RECEIVED
FEB 7 1978
Department of Water Resources
Northern District Office

Dear Sir:

There must be some ~~one~~ understanding or evidently you did not receive my answer to your last letter.

In my letter I stated that I even not trying to prevent Don from receiving a permit.

There was a ~~mis~~misunderstanding on the source of the water. Don was to use, by pipe line which would have diverted one of the main tributaries to Cottonwood Creek into a swamp out of the original stream.

This has been corrected and his source of water comes from a different spring which runs under ground into the meadow.

Microfilmed

II

This has been a difficult situation because of our differences, their has been no communication.

I had to have a disinterested person and the forest service check this for me.

At first I was misled, but ~~correctness~~ was made later.

Mr. Hoynes this thing is settled and as far as I am concerned you can cancel the hearing and avoid cost and other burdens to all of us.

I am glad how quite a few live stock and ~~are~~ the water rights. I felt that what I was doing in to avoid future troubles.

Thanks much for your cooperation in this matter.

Sincerely
Wm. J. Gentile

MICROFILMED

W. JUN 4 1964
RT. 5-BOX 100
PRIEST RIVER, IDA.
83856

RETURN RECEIPT
REQUESTED

CERTIFIED

No. 626518

MAIL

Mr. Robert G. Haynes, P.E.

State of Idaho

Department of Water Resources

Northern District Office

4055 Government Way.

Coeur d'Alene, Idaho 83814

FREDERICK DOUGLASS

JOHN DEWEY
UNITED STATES

JOHN DEWEY
UNITED STATES

PROCLAIM LIBERTY THROUGHOUT ALL THE LAND
USA 13c

30 CENTS

30 CENTS

INTER-DEPARTMENT MEMO — 1

FROM Tom

DATE

TO FileSUBJECT Protest 97-7102

8-15-77 I contacted both Mr. J. & Mrs. Z. Mr. J. informed me that the water Mr. Z was diverting is tributary to cottonwood Creek. Mr. Z took me on a tour of the location. Mr. Z has an incomplete pond ~~work~~ which is storing water at an estimated 2 gpm. Below the point of diversion the water normally diverges into numerous channels less than 3" deep. This forms a swamp. ~~The~~ At the time of my examination the swamp was dry but the ground was moist. The swamp appears to feed a number of ponds that appear to be old beaver dams.

Page 1 of 3

SIGNATURE

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Tom

DATE

TO file

SUBJECT Protest 97-7102 (cont)

The ponds are dry at this time. It appears that the old chimney that provided ingres for the beavers has become the exit from the ponds for the water. The ponds appear to be in a series so that one would fill before the next ^{streams} would receive water. There appears to be other springs ^{streams} which would normally augment the swamp & ponds, but the ones that I found are dry. ~~The~~ It appears that the appn diverted by Mr. Z. could get through the swamp at this time.

Page 2 of 3

SIGNATURE

UNRECORDED

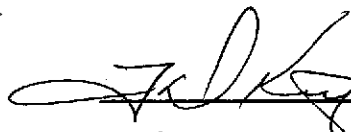
INTER-DEPARTMENT MEMO — 1

FROM *Tom*

DATE

TO *File*SUBJECT *Protest 97-7102 (cont)*

The water would also have to fill the series of ponds before reaching ~~the~~ cottonwood Creek. It is my opinion that the water diverted by mrz could not reach Cottonwood creek except in the spring run off, where it would be augmented by the other springs & snow melt in the area.



SIGNATURE

*Pge 3 of 3*RECEIVED
MAY 19 1997

● **SENDER:** Complete items 1, 2, and 3. **RETURN** space on reverse.

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

- ☒ Show to whom and date delivered 25¢
☐ Show to whom, date, & address of delivery 45¢
☐ **RESTRICTED DELIVERY.**
 Show to whom and date delivered 85¢
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery .. \$1.05
 (Fees shown are in addition to postage charges and other fees).

2. **ARTICLE ADDRESSED TO:**

Dan Zebe1
 Rt 5 Box 101
 Priest River, Id 83856

3. **ARTICLE DESCRIPTION:**

REGISTERED NO. CERTIFIED NO. INSURED NO.

13132

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. **DATE OF DELIVERY**

FEB 3 1978

POSTAL ADDRESS (Complete only if requested)

1010

6. **UNABLE TO DELIVER BECAUSE:**

CLERK'S
INITIALS

102

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
 - Moistened gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
 - Endorse article. "Return Receipt Requested" adds cent to number.

**RETURN
TO**

IDAHO DEPARTMENT OF WATER RESOURCES

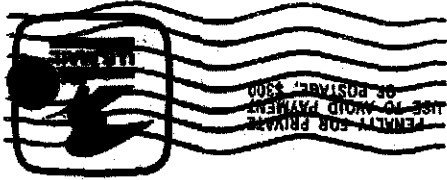
ROUTE 5, BOX 203, SUITE #1

COEUR D'ALENE, ID 83814

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



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

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

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

- ☒ Show to whom and date delivered 25¢
☐ Show to whom, date, & address of delivery 45¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered 85¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery ... \$1.05
 (Fees shown are in addition to postage charges and other fees).

2. ARTICLE ADDRESSED TO:

William Junttla
 Rt 5 Box 100
 Priest River, Id 83856

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

13133

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee☐ Authorized agent

DATE OF DELIVERY

POSTMARK

ADDRESS (Complete only if requested)

UNDELIVERABLE TO DELIVER BECAUSE:

CARRIER'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
 - Moisten gummed ends and attach to back of article.
 - If space permits. Otherwise affix to back of article.
 - Endorse article. "Return Receipt Requested" adds cent to number.

**RETURN
TO**



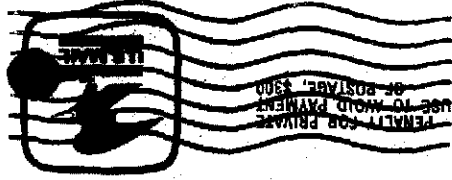
**IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE**

**ROUTE 5, BOX 203, SUITE #1
COLORADO SPRINGS, CO 83814**

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



NAME AND ADDRESS OF SENDER

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSEMENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE ³
1	13115 Laurence & Beth Holdeman, Rt 1 Box 526 Bonners Ferry	13	60			25			
2	13116 E Molodkewitsch & T Parys, PO Box 356, Bonners Ferry								
3	13117 Larry Hall, Star Rt 1, Moyie Springs, Id 83845								
4	13118 Mr & Mrs J.R. Stafford, Moyie Springs, Id								
5	13119 Hilder T & Roberta J Thompson, Star rt 1 Box 5C, Bonners F								
6	13120 Curley-Q, Inc, Box 555, Moyie Springs, Id								
7	13121 James Lyons, Box 368, Bonners Ferry, Id								
8	13122 Frank L & Betty M Folkens, Star Rt, Naples, Id								
9	13123 Don F Schied, Box 945, Bonners Ferry, Id								
10	13124 Peter Wilson, Box 749, Bonners Ferry, Id								
11	13125 South Hill Water, Rt 1 Bonners Ferry, Id								
12	13126 Bruce A & Jean Weaver, Rt 1 Bonners Ferry, Id								
13	13127 Laurence Holdeman, Rt 1 Box 526, Bonners Ferry, Id								
14	13128 Forest M or Mary P Bird, Box 871, Sandpoint, Id								
15	13129 Daniel P Featherston, PO Blx J, Sandpoint, Id								
16	13130 Dorothy Walston, HCR 66 Box 780, Sandpoint, Id								
17	13131 K Thomas Mehler, Box 1465, Sandpoint, Id								
18	13132 Dan Zebehl, Rt 5 Box 101, Priest River, Id								
19	13133 William Junttila, Rt 5 Box 100, Priest River, Id								
20									

TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER, PER (Name of receiving employee)

¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."
² Special handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

11/10/11 11:11 AM

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval)
of Application for Permit No. 97-7102)
in the name of DAN ZEBELL.)

NOTICE OF CONFERENCE
AND/OR HEARING

On July 15, 1977, Dan Zebell filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. The Department received a protest against approval of said application on August 10, 1977, from W.M. Junttila.

The Department has set the matter of protest for conference and/or hearing for Wednesday, February 15, 1978, at 10:00 am, in the Council Chambers, City Hall, Sandpoint, Idaho. Any hearing will be held in accordance with the Rules and Regulations 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 party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 30 day of January, 1978.



ROBERT G. HAYNES, P.E.
Regional Supervisor

RECEIVED

97-7102 - Dan Zebell

Council Chambers, City Hall, Sandpoint, Idaho

February 15, 1978 - 10:00 am

ROSTER OF ATTENDANCE

<u>Name</u>	<u>address</u>	<u>Representing</u>
-------------	----------------	---------------------

RECEIVED



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

January 27, 1978

City of Sandpoint
Auditor's Office
Sandpoint, Id 83864

Dear Sir,

This is to confirm the reservations for conference and/or hearing to be held by this office on Wednesday, February 15, 1978, in your Council Chambers, at 8:00 and 10:00 a.m. and 1:00 and 3:00 p.m.

Thank you for your cooperation in this matter.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

MICROFILMED

~~File. - that is.~~

Schedule hearing. - Over flow would return to natural stream, however there is no overflow and water would ~~not~~ ~~likely~~ probably sink into ground before reaching Cottonwood creek.

There is a series of small ponds between Mr. Zebell's pond & Cottonwood creek.

Zebell ^{maybe in} ~~is~~ violation since his pond ^{was} ~~is~~ built without an approved permit.

RECEIVED

AUG 31 1977

Department of Water Resources
Northern District Office

William M. Gunttala

Box 100

Priest River, Idaho

83856

Aug. 29 - 1977

State of Idaho
Department of Water Resources,
Coeur d'Alene, Idaho

Dear Mr. Haynes:

Returning yours of Aug 28. To let
you know I am not interested in Zebell
receiving a permit. He has already violated
the law by bulldozing his pond and transferring
the water from its original stream.

Therefore 3 of my neighbors have had to haul
their water from my spring due to the
dry season and the cut off of much of the
water that feeds Cottonwood Creek.

It did not hurt me as I had my re-
servoir full which fulfilled my need and
some for the Forest Service on wood fires.

All I am interested in that you enforce the
regulations and see that this man return the
flow back to the original source or tributary.
Thank you ~

Sincerely Bill Gunttala

RECEIVED



John V. Evans
Governor

C. Stephen Allred
Director

August 18, 1977

Re: Application for Permit No. 97-7102 - Zebell

William M. Juntilla
Rt. 5 Box 100
Priest River, Idaho 83856
Dear Mr. Juntilla:

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 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 an 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 speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

Robert G. Haynes

ROBERT G. HAYNES, P.E.
Regional Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

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

William M. Junttila
Rt 5 - Box 100
Priest River, Idaho
83856

Idaho Department of Idaho
4055 Government Way
Council Bluffs, Idaho

Aug. 8 - 1977

RECEIVED

AUG 10 1977
Department of Water Resources
Northern District Office

Dear Mr. Allred:

I am not trying to prevent
Don Zibell, from receiving a permit.
I do protest of the way he is
going about it.

This unnamed creek he refers to
is one of the main tributaries to
The Cottonwood creek, from Jasper
Mountain.

RECEIVED
You will find that in my application
to build my dam, that the source
of the water is from Cottonwood
Creek and its tributaries.

Don's project involves about
5 families below him therefore
he must, retain the overflow

II
from his pond to the original
unnamed creek, which is not
an underground source. There are
a few places that it does seep
underground in dry seasons as
we have now.

I demand that you send an
experienced official to investigate
this project, to save future
troubles.

Sincerely
W. M. Junttila

P.S. I am sending a notice
to the head office in Boise.
Idaho

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
Dan Zebell Rt 5 Box 101, Priest
River, Id has on July 15 1977
submitted Application No. 97-
7102 for a permit to appropriate
0.06 cubic feet per second & 1
acre feet per annum of water
from an unnamed creek by
means of dam, pump and
pipeline within the SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec 20 T38N R4W, B.M. Bonner
County to be used from Jan 1 to
Dec 31 for domestic, (0.04 cfs),
stockwater (0.02 cfs) and
storage for fish culture (1.0 af-
an) and from April 1 to Oct 15
for the irrigation of $\frac{1}{2}$ acre (0.02
cfs) within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 20
T38N, R4W, 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 August 15,
1977.

C. STEPHEN ALLRED

Director

Published in the Priest River
Times, Priest River, Id on July
28 and Aug. 4, 1977.

August 18, 1977

Re: Application for Permit No. 97-7102 - Zebell

William M. Junttila
Rt. 5 Box 100
Priest River, Idaho 83856

Dear Mr. Junttila:

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 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 an 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 speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RECEIVED

August 18, 1977

Re: Application for Permit No. 97-7102

Dan Zebell
Rt. 5, Box 101
Priest River, ID 83856

Dear Mr. Zebell:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 97-7102. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest 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 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?

If this office can be of further assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

MICROFILMED



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

July 21, 1977

RE: Applications No. 96-7583 & 97-7102

Priest River Times
PO Box 398
Priest River, Id 83856

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)

[Handwritten signatures and initials]
8-15-77

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dan Zebe11

Rt 5 Box 101, Priest River, Id

has July 15, 1977 submitted Application No. 97-7102

for a permit to appropriate 0.08 cubic feet per second / 1 acre feet per annum
of water from an unnamed creek

by means of dam, pump & pipeline

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 20, T58N, R4W, B.M., Bonner County

to be used from Jan 1 to Dec 31 for domestic, (0.04 cfs) , stockwater (0.02 cfs)

~~xxx~~ and storage for fish culture (1.0 af/an) and from April 1 to Oct 15 for the
irrigation of $\frac{1}{2}$ acre (0.02 cfs)

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 20, T58N, R4W, 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

August 15, 1977

C. STEPHEN ALLRED
Director

Published in the Priest River Times, Priest River, Id

on July 28 and August 4, 1977

NOTICE OF APPLICATION

FOR WATER PERMIT

Notice is hereby given that

Dan Zebell Rt 5 Box 101, Priest

River, Id has on July 15 1977

submitted Application No. 97-

7102 for a permit to appropriate

0.08 cubic feet per second & 1

acre feet per annum of water

from an unnamed creek by

means of dam, pump and

pipeline within the SW $\frac{1}{4}$ SW $\frac{1}{4}$

Sec 20 T58N R4W, B.M. Bonner

County to be used from Jan 1 to

Dec 31 for domestic, (0.04 cfs),

stockwater (0.02 cfs) and

storage for fish culture (1.0 af-

an) and from April 1 to Oct 15

for the irrigation of $\frac{1}{2}$ acre (0.02

cfs) within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 20

T58N, R4W, 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 August 15,

1977.

C. STEPHEN ALTRIED

Director

Published in the Priest River

Times, Priest River, Id on July

28 and Aug. 4, 1977.

016
9-29-77



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D' ALENE, IDAHO 83814

July 18, 1977

RE: Application No. 97-7102

Dan Zebell
Rt 5 Box 101
Preist River, Id 83854

Dear Mr Zebell,

Attached is your receipt No. 5658 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

June 21, 1977

Dan Zebell
Rt 5 Box 101
Priest River, Id 83856

Dear Mr Zebell,

We apologize for neglecting to insert an Application for Permit along with our last letter.

The best manner in which to handle this present situation is to have your complete the application and receive a permit which will establish your water right. You can have up to 5 years to construct your system at which time we will then issue you a license water right for that amount of water which you are beneficially using.

We are also enclosing our "Water User's Handbook" which may answer such further questions as you may have.

If you need any assistance in completing the form, please feel free to contact us.

Sincerely,

FRED EISENBARTH
Water Resource Planner

FE:ab

Enclosures: Application for Permit
Instructions
Water Users Handbook

MICROFILMED

RECEIVED

JUN 21 1977

Department of Water Resources
Southern District Office

DAN ZEBELL

RTS Bx 101

PIEST RIVER

IDA, 8356

FRED EISENBARTH

IN RESPONSE TO YOUR LETTER JUNE 14,
1977. YOU FAILED TO ENCLOSE AN
"APPLICATION FOR PERMIT".

I WOULD LIKE TO MENTION A FEW
FACTS CONCERNING COTTONWOOD CREEK.
TRUE I DID BUILD A "DAM", BUT WHATEVER
ELSE HAROLD CRAWFORD MAY
HAVE TOLD YOU DON'T BELIEVE IT. HAROLD
CRAWFORD KNOWS NOTHING OF WHICH
HE SPEAKS, HE HAS NEVER SET
FOOT ON MY LAND.

THE WATER THAT FLOWS ACROSS
MY LAND DOES NOT REACH COTTONWOOD
CREEK AS SURFACE WATER EXCEPT
DURING SPRING RUN-OFF. MY LAND
IS 80% SWAMP, ~~THE~~^{MY} CREEK RUNS
HALF WAY AS SURFACE WATER AND
THEN RUNS UNDERGROUND.

NOW ABOUT MY "DAM". WHAT I
DID WAS, AT THE AREA THAT THE
WATER ~~WENT~~ WENT UNDERGROUND
I DUG A LARGE HOLE. THIS
HOLE ~~IS~~ WHICH HAS WATER IN IT,
REPRESENTS THE WATER TABLE.

I HAVE NOT RAISED THE LEVEL

MICROFILMED

OF THE NATURAL WATER FLOW.

AS OF TODAY SUNDAY JUNE 19, 1977.
WATER IS FLOWING INTO MY "DAM" AT
LESS THAN $\frac{1}{2}$ GALLON / MIN. . 100 FEET
UPSTREAM THE WATER FLOWS AT
5 GALS. / MIN. . BY THIS YOU CAN
SEE THE RATE AT WHICH THE SURFACE
WATER RUNS UNDERGROUND. BY JULY
I THERE PROBABLY WON'T BE ANY
SURFACE WATER FLOWING INTO MY
"DAM". DURING A NORMAL YEAR THE
SURFACE WATER IS NOT THIS LOW UNTIL
SEPT.

IN THE FUTURE I WOULD LIKE
TO BUILD A DAM TO RAISE THE
WATER LEVEL APPROX. TWO FEET.

SINCERELY,

DAN ZEBEL

RT5 Bx101

PRIEST RIVER

P.S. SOME ONE SHOULD

IDA.

INFORM MR. HAROLD CRAWFORD

83856

THAT DROUGHT CONDITIONS EXIST.

DAN ZEBELL
RT 5 Bx 101
PRIEST RIVER
IDA.



FRED EISENBARTH
WATER RESOURCE PLANNER
DEPT. OF WATER RESOURCES
Room 209
401 FRONT AVE.
COEUR D'ALENE, IDA.
83814

83814

June 14, 1977

Dan Zebel
Rt 5
Priest River, Id 83856

Dear Mr Zebel,

It has recently been brought to our attention that a water problem is being encountered on Cottonwood Creek due to appropriation of water by yourself by means of a newly constructed dam. Sec. 42-103 of the Idaho Code states that the "right to the use of the unappropriated waters of rivers, streams, lakes, springs and of subterranean waters within the State of Idaho shall hereafter be acquired only under the permit procedure". We have enclosed an Application for Permit with instructions which you should complete and return to our office for processing.

If we can be of any assistance in completing the forms or answering your questions, please contact us.

Sincerely,

FRED EISENBARTH
Water Resource Planner

FE:ab

Enclosure

cc: Harold Crawford
PO Box 784
Priest River, Id 83856

RECEIVED
JUN 15 1977
WATER RESOURCES
DIVISION
BOISE, IDAHO