

RECEIVED

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IDWR / NORTH

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Ident. No.

95-16966

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) THOMAS AND/OR CAROLINE BALDWIN Phone 208-818-9328
Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address 6372 W HARBOR DR City COEUR D ALENE

State ID Zip 83814 Email THOMCRAFT@ROADRUNNER.COM

2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
50N	04W	8	8		SW	NW	KOOTENAI	GROUNDWATER	95-90-N-59

4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. _____

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is 6 inches; proposed depth of well is 161 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? 6-28-90; drilling firm H2O WELL SERVICE;
well was drilled for (well owner) BOB KIRKPATRICK; Drilling Permit No. 95-90-N-59.

7. Description of proposed uses (if irrigation only, go to item 8):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; complete and attach the [Municipal Water Right Application Checklist](#).
d. Domestic; show number of households 1
e. Other; describe fully. UP TO 1/2 ACRE OF IRRIGATION

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	8							D										
									L6										

Total number of acres to be irrigated: _____

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

10. a. Who owns the property at the point of diversion? BOB KIRPATRICK
- b. Who owns the land to be irrigated or place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: WELL USE AGREEMENT

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

DOMESTIC FOR 1 HOME AND IRRIGATION UP TO 1/2 ACRE

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


Signature of Applicant

THOMAS BALDWIN

Print Name (and title, if applicable)


Signature of Applicant

CAROLINE BALDWIN

Print Name (and title, if applicable)

For Department Use:

Received by AF Date 1-9-15 Time _____ Preliminary check by _____
Fee \$ 100.00 Received by NS Receipt No. N031013 Date 1-9-15

WELL AGREEMENT

This instrument is made this 28th day of September 1998 by Robert T. Kirkpatrick.

Whereas Kirkpatrick is the owner in fee simple, of lots 69 and 70, Harbor Island addition according to the plat recorded in the office of the Kootenai County Records, State of Idaho.

And whereas there currently is a well located on lot 69, Harbor Island which serves two homes; the home on lot 69, the address of which is 6280 Harbor Drive, Coeur d'Alene, Idaho and the home on lot 70 the address of which is 6290 Harbor Drive, Coeur d'Alene, Idaho.

And, whereas the pump house attached to the East side exterior of 6290 Harbor Drive, lot 70, contains two pressure tanks, one pressure pump, one water softener, and other filtration, and water treatment equipment for the well serving both houses described above.

And, whereas Kirkpatrick the current owner of the property described above desires to make a matter of public record the rights, interests and further responsibilities of the parties who may come into title, or who may enter into any agreement, or contract for title, as it concerns the maintenance, repairs and use of the well and the water distribution lines to each of the respective parcels of real property described above, along with the related water treatment equipment.

Now Therefore, it is hereby established as follows:

- (1) The water well located on Lot 69, Harbor Island and the equipment in the pump house described above on Lot 70, Harbor Island shall be for the exclusive domestic use on the parcels of real property described above. The water system shall only be used for domestic purposes serving one residential dwelling on each of said parcels of real property. Neither the well or water supply system can be expanded to other properties or other uses without prior written consent of all parties to this agreement, their heirs, assigns or successors.

Each property owner grants to the others an easement for the installation and maintenance of the water well and any necessary distribution lines connecting the residences to the water well.

- (2) Each lot owner shall pay the sum of \$15.00 per month towards the maintenance and all other expenses relating to the operation of the well and water system including, but not limited to, the purchase of salt for the water softener, replacing and maintenance of filters, and pumps, and the electricity. If at any time there are insufficient funds in the account to pay for maintenance, repairs and the like, each lot owner using the water system at that time shall be responsible for contributing their share towards said funds over and above the amounts existing at that time in the account. If at any time the monies in the account are substantial, then with mutual agreement of the property owners using the water system at that time, excess funds may be distributed to the said lot owners.
- (3) In the event any naturally occurring shortage of water, such as drought or seismic activity, reduces the well output, each lot owner shall be entitled to equal use of the available diversion amount and water pressure available from the source.
- (4) All electricity for the well and water distribution line shall be shared equally by the parties to this agreement using the water at that time.

ACCOMMODATION RECORDING
Pioneer Title Company has
not examined this document,
and assumes no liability as
to its validity and its effects
upon the title.

1555975

The electricity to the pump house is currently billed to the residence at 6290 Harbor Drive. The private meter at the pump house, records the usage for the well, and can be measured and charged, by the price per kilowatt as billed by Washington Water Power, each month. The cost of the electricity used for the well, and water system, will be shared equally by the property owners.

- (3) The salt for the water softener is currently delivered by Culligan and billed to Robert Kirkpatrick. This bill is to be shared equally by the property owners of the two residences described.
 - (4) In the event either party to this agreement fails to pay their respective costs for the repair, operation or maintenance of the well, or in any other way defaults or violates any term or provision of this agreement, then in that event, the non-defaulting party may make written demand that the defaulting party contribute or pay as required by this agreement, or cure the default or violation. If after fifteen (15) days, the defaulting party fails to cure the default, then the non-defaulting party may institute legal action against the defaulting party for an order compelling the defaulting party to comply with the terms of this agreement.
- The parties agree that as to any delinquent payments, a lien shall exist on their respective properties for said delinquent payments until paid in full.
- (7) In the event any legal action is necessitated for the enforcement of the terms of this agreement, attorney's fees and cost shall be allowed to the prevailing party.
 - (8) Should any provision of this agreement be declared invalid or in conflict with any applicable law, statute, regulation, or ordinance, the validity of all the other provisions of this agreement shall remain unaffected and in full force and effect.
 - (9) The terms and conditions of this agreement shall constitute covenants and encumbrances and shall run with the land and shall be perpetually binding upon the parties hereto, their heirs and assigns, and any party acquiring any right, title or interest in or to any portion of the real property described above.

This agreement may be modified at any time by mutual agreement between the owners of lots 69 and 70 Harbor Island addition.

Robert T. Kirkpatrick 9/28/98
ROBERT T. KIRKPATRICK DATE

STATE OF IDAHO
COUNTY OF COOTENAI 56
AT THE PRODUCTION OF
PIONEER TITLE CO.
SEP 28 8 11 AM '98
DANIEL J. ENGLISH
DEPUTY 6,00

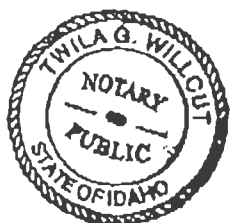
STATE OF IDAHO ss.
County of COOTENAI

On this day, before me, TWILA G. WILLCUT
personally appeared ROBERT T. KIRKPATRICK
to be the individual described in and who executed the within and foregoing instrument, and acknowledged that
HE signed the same as HIS free and voluntary act and deed, for the uses and purposes
therein mentioned.

the undersigned, a Notary Public,
to me known

GIVEN under my hand and official seal this 28TH day of SEPTEMBER, 1998

ACKNOWLEDGMENT - INDIVIDUAL
Pioneer Title Co.
U-37



[Signature]
Notary Public in and for the State of ID
residing at DALTON GARDENS
Commission Expires 10-29-2000

This Notary Certificate is prepared on a separate page and is attached to the document entitled WELL AGREEMENT containing 2 pages and is attached to that document by means of TAPE. If this certificate is detached from the specified document, this certificate is VOID.

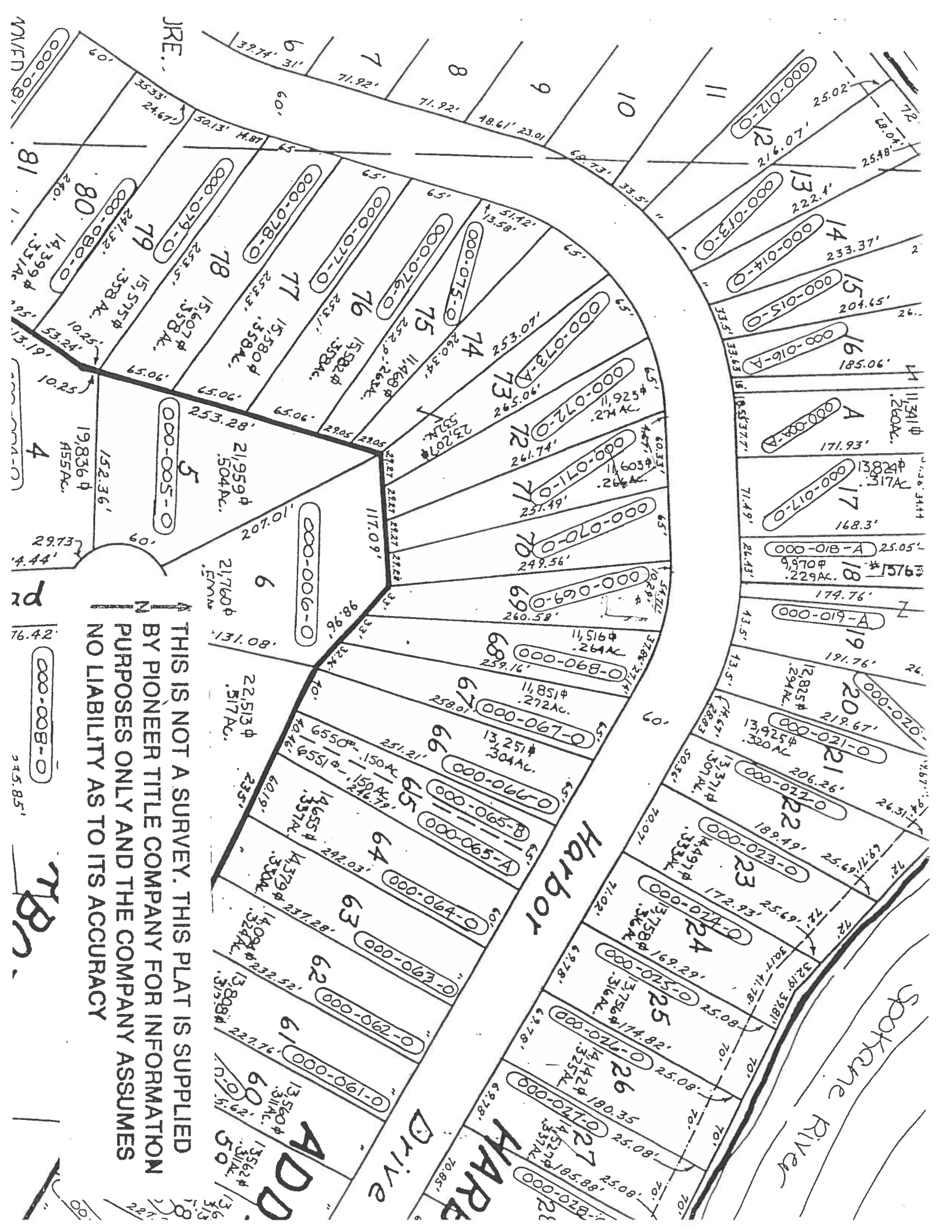
WELL, MILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

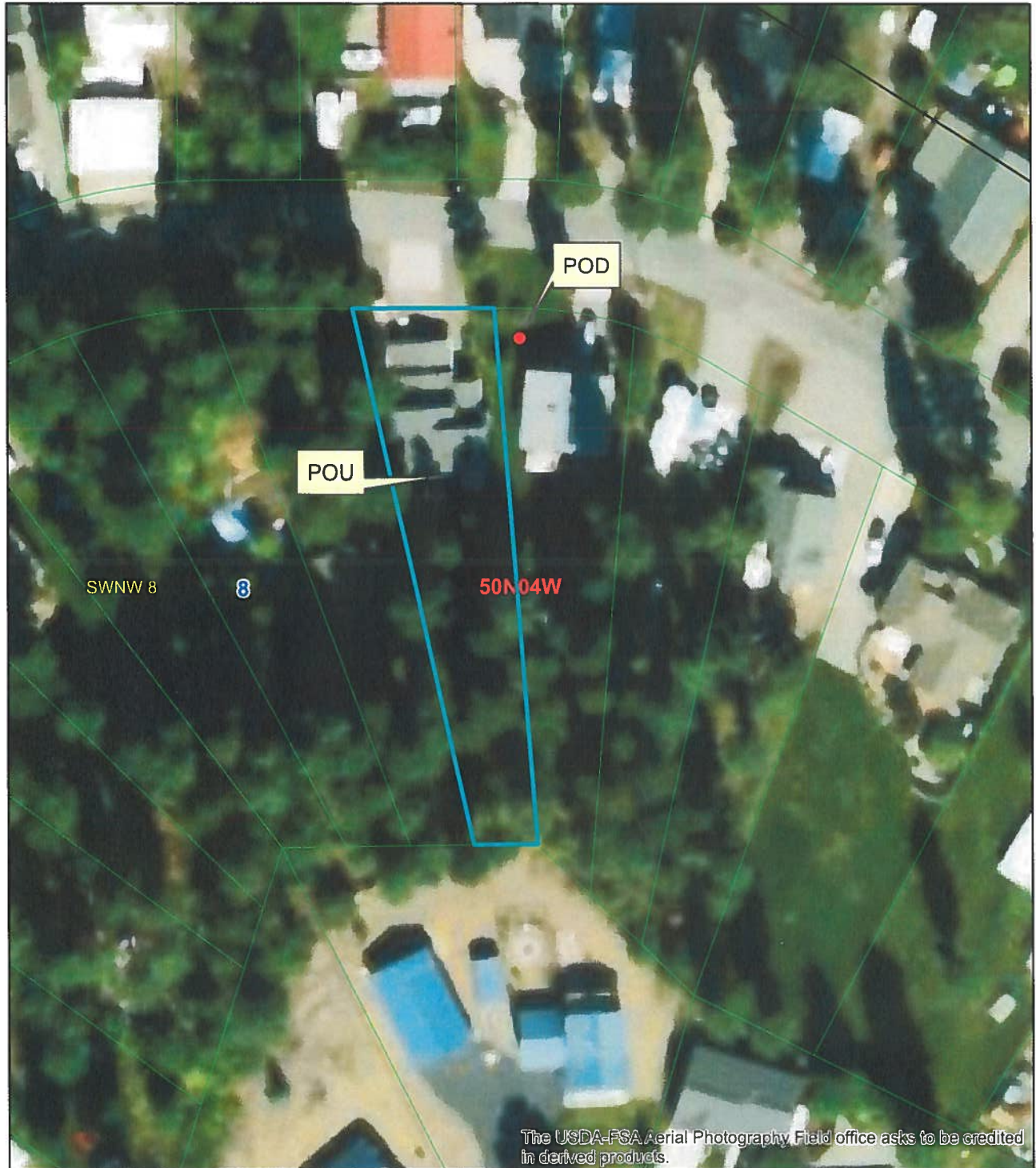
1. WELL OWNER <u>Van Leuven</u> Name <u>Bob Van Leuven</u> Address <u>W 5717 pinelane dr</u> <u>CDN</u> Owner's Permit No. <u>95-90-N-59</u>	7. WATER LEVEL Static water level <u>126'</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>60</u> °F. Quality <u>NO SMELL</u> <i>Describe artesian or temperature zones below</i>																																										
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td style="text-align: center;">30</td> <td style="text-align: center;">161</td> <td style="text-align: center;">2</td> </tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	30	161	2																																				
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th rowspan="2">Water Yes/No</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">8</td> <td style="text-align: center;">0</td> <td style="text-align: center;">161</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: center;">0 161 (Loose) sand & gravel & boulders</td> <td style="text-align: center;">X</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: center;">Hit water at -160 ft.</td> <td></td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water Yes/No	From	To	8	0	161						0 161 (Loose) sand & gravel & boulders	X				Hit water at -160 ft.																					
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	10. Work started <u>6-26-90</u> finished <u>6-28-90</u>																																										
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">.250</td> <td style="text-align: center;">6</td> <td style="text-align: center;">1</td> <td style="text-align: center;">feet - 161 feet</td> </tr> <tr> <td style="text-align: center;">inches</td> <td style="text-align: center;">inches</td> <td style="text-align: center;">feet</td> <td style="text-align: center;">feet</td> </tr> <tr> <td style="text-align: center;">inches</td> <td style="text-align: center;">inches</td> <td style="text-align: center;">feet</td> <td style="text-align: center;">feet</td> </tr> <tr> <td style="text-align: center;">inches</td> <td style="text-align: center;">inches</td> <td style="text-align: center;">feet</td> <td style="text-align: center;">feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">perforations</td> <td style="text-align: center;">feet</td> <td style="text-align: center;">feet</td> </tr> <tr> <td style="text-align: center;">perforations</td> <td style="text-align: center;">feet</td> <td style="text-align: center;">feet</td> </tr> <tr> <td style="text-align: center;">perforations</td> <td style="text-align: center;">feet</td> <td style="text-align: center;">feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Diameter</th> <th>Slot size</th> <th>Set from</th> <th>feet to</th> <th>feet</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Diameter</td> <td style="text-align: center;">Slot size</td> <td style="text-align: center;">Set from</td> <td style="text-align: center;">feet to</td> <td style="text-align: center;">feet</td> </tr> </tbody> </table> Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>100'</u> Material used as seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	.250	6	1	feet - 161 feet	inches	inches	feet	feet	inches	inches	feet	feet	inches	inches	feet	feet	Number	From	To	perforations	feet	feet	perforations	feet	feet	perforations	feet	feet	Diameter	Slot size	Set from	feet to	feet	Diameter	Slot size	Set from	feet to	feet	11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>H/O Well Service</u> Firm No. <u>448</u> Address <u>Hayden Station</u> Date <u>7-2-90</u> Signed by (Firm Official) <u>Edwin Verbeek</u> and (Operator) <u>Wayne Miller</u>
Thickness	Diameter	From	To																																								
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6. LOCATION OF WELL Sketch map location <u>must</u> agree with written location. Subdivision Name <u>Harbor Island</u> Lot No. <u>69</u> Block No. _____ County <u>Kootenai</u> SU: NW: Sec <u>8</u> T: <u>50</u> S: <u>4</u> E: <u>11</u>																																											

ADD
C. 150

THIS IS NOT A SURVEY. THIS PLAT IS SUPPLIED BY PIONEER TITLE COMPANY FOR INFORMATION PURPOSES ONLY AND THE COMPANY ASSUMES NO LIABILITY AS TO ITS ACCURACY



APPLICATION MAP 95-16966



Legend

- Application POD
- Taxlots
- Sections
- QQ

0 0.005 0.01 0.02 Miles

N



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive. Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

January 22, 2015

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

THOMAS BALDWIN
CAROLINE BALDWIN
6372 W HARBOR DR
COEUR D ALENE, ID 83814

Application For Permit No. 95-16966

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the COEUR D ALENE PRESS on 2/5/2015 and 2/12/2015. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Adam Frederick

Adam Frederick
Water Resource Agent

Enc – Receipt No. N031013

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, January 22, 2015 11:26 AM
To: Legal Notices-CdA Press - Chantell White; Legal Notices-CdA Press
Cc: Frederick, Adam
Subject: Application for Permit No. 95-16966, 95-16968
Attachments: LegalNotice 01-22-15 CDA e-mail 95-16966, 16968.doc

Good morning, Chantell,

Please publish the attached legal notice on the dates indicated, February 5 and 12, 2015, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This should be very close to press ready for **2-column**, 8pt, Century Old Style font, with margins justified. Please remind the person(s) doing set-up that the **USE** area, with dates and amounts offset and lined up, should appear that way in the actual legal notice.

Please send a proof/preview copy for my review before this actually goes to press.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/23/2015. Your cooperation is always appreciated.

Thanks for all your help in seeing that our legals appear as submitted. It's a pleasure to work with you, and have a great rest of the day.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 ~ Fax 208-762-2819

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-16966

THOMAS BALDWIN
CAROLINE BALDWIN

6372 W HARBOR DR
COEUR D'ALENE, ID 83814

Point of Diversion L8(SWNW) S8 T50N R04W KOOTENAI CO
Source GROUND WATER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion		0.04 CFS

Date Filed: 1/9/2015

Place of Use: DOMESTIC T50N R04W S8 L8(SWNW)

Domestic use is for 1 home with up to 1/2 acre irrigation.

95-16968

JON C BLOXHAM
THINE L BLOXHAM
24350 N RIMROCK RD
HAYDEN, ID 83815

Point of Diversion L7(SWSW) S4 T52N R03W KOOTENAI CO
Source UNNAMED STREAM tributary SINKS

Use: FIRE PROTECTION STORAGE	01/01 to 12/31	1 AF
Use: RECREATION STORAGE	01/01 to 12/31	1 AF
Use: WILDLIFE STORAGE	01/01 to 12/31	1 AF
Total Diversion:		1 AF

Date Filed: 1/15/2015

Place of Use: WILDLIFE STORAGE T52N R03W S4
L7(SWSW) SESW

Place of Use: FIRE PROTECTION STORAGE and
RECREATION STORAGE same as WILDLIFE STORAGE

Recreation use is for swimming.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800; or for a full description of the right(s), please see:

www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 2/23/2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 2/5/2015 and 2/12/2015