

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	95-08654	Michael Irvine Jacqueline Irvine	0.04
Full Assignment	95-08654	Jacqueline Irvine	0.04

SEP 12 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08654

Priority: July 15, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JACQUELINE IRVINE

W 7746 COUGAR GULCH RD

COEUR D ALENE ID 83814

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 14, 1990; and has submitted Proof of Beneficial Use on July 15, 1994. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

COUGAR CREEK

tributary to COEUR D ALENE LAKE

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 30, Township 50N, Range 04W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

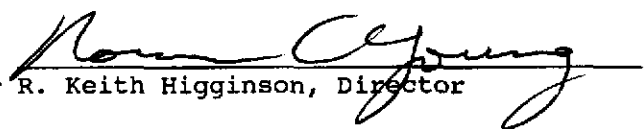
50N 04W 30 Lot 4(SWSW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15th day of April, 1995.

Acting for  R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-08654	)	
	)	ORDER OF
IN THE NAME OF JACQUELINE IRVINE	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER:

FINDINGS OF FACT

1. On September 13, 1990, the Department issued Permit No. 95-08654 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before October 1, 1991.

2. On July 31, 1991, the Department sent a proof due notice to the permit holder by certified mail stating that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use.

3. On October, 1991, the Department sent a lapse notice to the permit holder.

4. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

5. On July 15, 1994, the permit holder submitted an acceptable proof along with two (2) affidavits confirming that water had been put to beneficial use during the authorized development period. The permit holder further explained that because of her divorce she was not receiving her mail and subsequently did not receive the proof due notice.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used within the authorized development period.

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2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The department should reinstate the permit with the date of priority advanced to the date proof of beneficial use and supporting information was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 95-08654 is **REINSTATED** and the priority is advanced to July 15, 1994.

Dated this 12th day of August, 1994.

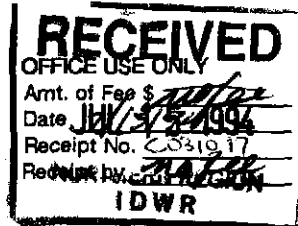
A handwritten signature in cursive script, reading "L. Glen Saxton", written over a horizontal line.

L. GLEN SAXTON
Chief, Water Allocation Bureau

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JUL 18 1994

Department of Water Resources **STATE OF IDAHO**
DEPARTMENT OF WATER RESOURCES



PROOF OF BENEFICIAL USE

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

1. Permit No. 95-8654 Telephone No. 667-0400
2. Name(s) of Permit Holder(s): JACQUELINE IRVINE
3. Mailing Address: W. 7746 COUGAR GULCH RD.
COEUR D'ALENE, ID 83814
4. Source of Water: COUGAR CREEK & SPRING

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.04 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ___ Yes ☒ No Installed? ___ Yes ___ No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

NAME
Name _____ Telephone No. _____

Address _____

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

Date 6/30/94 Signature Jacqueline Irvine (and title, if on behalf of a company or organization)
SEP 12 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES

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JUN 30 1994

NORTHWEST REGION
IDWR

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, MICHAEL IRVINE
JACQUELINE IRVINE, hereby assign to JACQUELINE IRVINE
of W. 7746 COUGAR GULCH RD, COEUR D'ALENE ID
(Full Address) 83814

All my right, title, and interest in and to Permit No. 95-8684
to appropriate the public waters of the State of Idaho.

95-8654 7/5/94

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 30 day of JUNE, 19 94.

Jacqueline Irvine
Permit Holder(s)

State of Idaho)
County of Kootenai ss

On this 30th day of June, 199 4, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



My commission expires _____

Loretta D. Flegel
Notary Public
Signature
11/19/1998

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State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08654

Proposed Priority: June 14, 1990 Maximum Diversion Rate: 0.04 CFS
This is to certify, that MICHAEL IRVINE
JACQUELINE IRVINE
W. 7746 COUGAR GULCH RD.
COEUR D ALENE, ID 83814
has applied for a permit to appropriate water from:

SPRING tributary of COUGAR CREEK
COUGAR CREEK tributary of COEUR D ALENE LAKE

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSW Sec. 30, Township 50N, Range 04W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWP RGE SEC

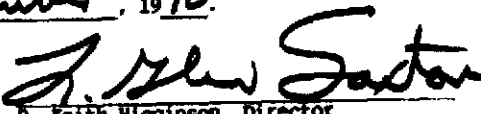
50N 04W 30 SWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1991.
2. Subject to all prior water rights.
3. Domestic use is for one home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

13th day of September, 1990.

for 
R. Keith Higginson, Director

Ident. No. 95-00654

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MICHAEL IRVINE
Address: W. 7746 COUGAR GULCH RD.
COEUR D ALENE, ID 83814
OR
Name: JACQUELINE IRVINE
Address: W. 7746 COUGAR GULCH RD.
COEUR D ALENE, ID 83814
208-667-0943
208-667-0943
2. Source: SPRING
COUGAR CREEK
Trib. to: COUGAR CREEK
COEUR D ALENE LAKE
3. Location of Point of Diversion: SWSWSW Sec. 30, Township 50N, Range 04W
KOOTENAI County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
4" VERTICAL CMP IN SP. W/GRVTY FLOW 1.5" PIPE TO HOME/PUMP IN CR.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the project and application of
the water to the proposed beneficial use.
8. Description of proposed uses:
D/ONE HOME, GARDEN

Ident. No. 95-0854
Page 2

9. Place of Use: DOMESTIC

TWN RGE SEC
50N 04W 30 SWSW

10. Describe any other water rights used for the same purposes.
None

11. a. Who owns the property at the point of diversion?

APPLICANT

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.

12. Remarks:

This application is to replace lapsed permit #95-08512

13. Map of proposed point of diversion and place of use attached? ☒

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.

Jacqueline Irvine
Applicant

Received by pm Date 4/1/90 Time 2:00 Preliminary check by
Fee \$ 30.00 Receipted by pm # N3835 Date 6/14/90
Publication prepared by pm Date 6/27/90 Published in 7/5-12/90
Publication approved pm Date 8/10/90





LICENSE REVIEW

Cindy Zimmerman

Permit #: 95-8654 Name: Ervin Date: 4/12/95

NAME	Chng	OK	Or Address Change?
SOURCE	☐	☒	Clarify source <u>(no springs)</u> Prelim. Order to Void - Source change.
P/D	☐	☒	Amendment Needed? <u>clarify Ltr 4</u> -P39, P38 Overlap(s) <u>95-8549-licensed irrigation (3 A) & stock (10H)</u>
P/U	☐	☒	Amendment Needed? <u>clarify Ltr 4</u> -P41, P38 Overlap(s) <u>NONE</u> *P/D & P/U Amend? <u>P37, P38 (See list for feds.)</u>
RATE	☐	☒	Permit/fee limits <u>0.04 / 0.04</u> Meas Q= <u> </u> Theo Q= <u> </u> Recommend: <u>0.04</u>
	☐	☐	Combined rates exceed capacity <u> </u>
VOLUME	☐	☒	Season of Use: <u>1/1 - 12/31</u> days <u>365</u> Calculations: <u>Domestic 1 home = 1.2 AF</u> Flow limit: <u>0.04</u> x <u>365</u> x <u>1.9835</u> = <u>29.0</u> AF Recommended volume <u>1.2</u> AF Comb rates + capacity/allowable <u> </u>
USES	☐	☒	Same Nature of Use? <u> </u> -P46 Amendment Needed? <u> </u>
REMARKS	☐	☐	Multiple p/d's in <u>1/4</u> ? ☐ Irrigation water overlap (WB3) (If gw use sw) ☒ Other <u>① well / 1</u>
CONDITIONS	☐	☐	Measuring (R01)/Locking (R02) Devices Watermaster Control (R04) - WD # <u> </u> ☐ Irrigation rate/volume overlap ☐ Water Quality ☐ Other <u> </u>
PRIORITY	Correct fee submitted? <u>Yes/No</u> Receipt # <u>C031017</u> Order to Reinstate Needed? <u>Yes/No</u> Done? <u>8/12/94 (late b/u & fee)</u> Advance(d)? <u>Yes/No</u> Advance(d) to: <u>9/15/94</u> App Rcd <u>6/4/90</u> Priority <u>7/15/94</u> Examined <u>9/7/94</u>		

COMMENTS: add government LTRs.

RECOMMENDED	CFS	DIV VOL	Adjustment Memo <u> </u>
<u>Dom / 1</u>	<u>0.04</u>	<u>1.2</u>	SRBA Claim filed <u> </u>
<u> </u>	<u> </u>	<u> </u>	LICENSE: <u>P49</u>
<u> </u>	<u> </u>	<u> </u>	#1 AMEND LTR: <u>P46</u> or
<u> </u>	<u> </u>	<u> </u>	<u>P39/P41/P37 & P38</u>
<u>TOTAL</u>	<u>0.04</u>	<u>1.2</u>	#2 AMEND LTR: <u>P42/P47</u>

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Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 95-08654

1. Owner: JACQUELIN IRVIN

Phone No. 208 667-0400

Current Address: W 7746 Cougar Gulch RD COEUR D'ALENE Id, 83814

2. Accompanied by: OWNER

EXAM DATE: 9-7-99

Address: SAME AS ABOVE

Phone No. SAME

Relationship to Permit Holder: _____

3. Source: Cougar Creek tributary to COEUR D'ALENE LAKE

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 95-08549

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	30	50 N	04 W	KOOTENAI	USGS 7.5 MIN QUAD

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50 N	04 W	30																	

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F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>01-01</u>	<u>12-31</u>	<u>.04</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.04</u>	<u>1.2</u>

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

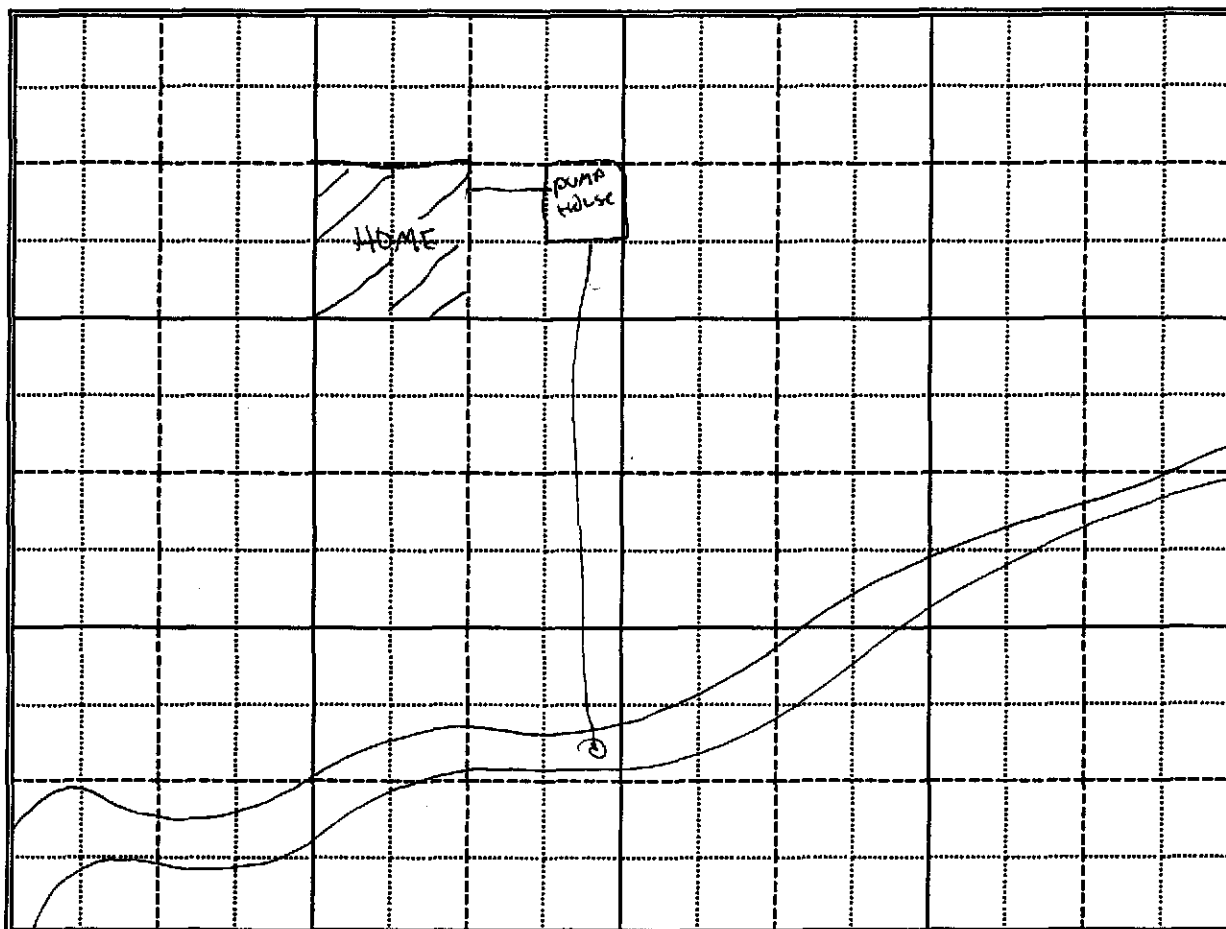
I. AUTHENTICATIONField Examiner's Name Ted McCracken Date 9-7-91

Reviewer _____ Date _____

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Goulds	1/2	CJOSN	Goulds	225771

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

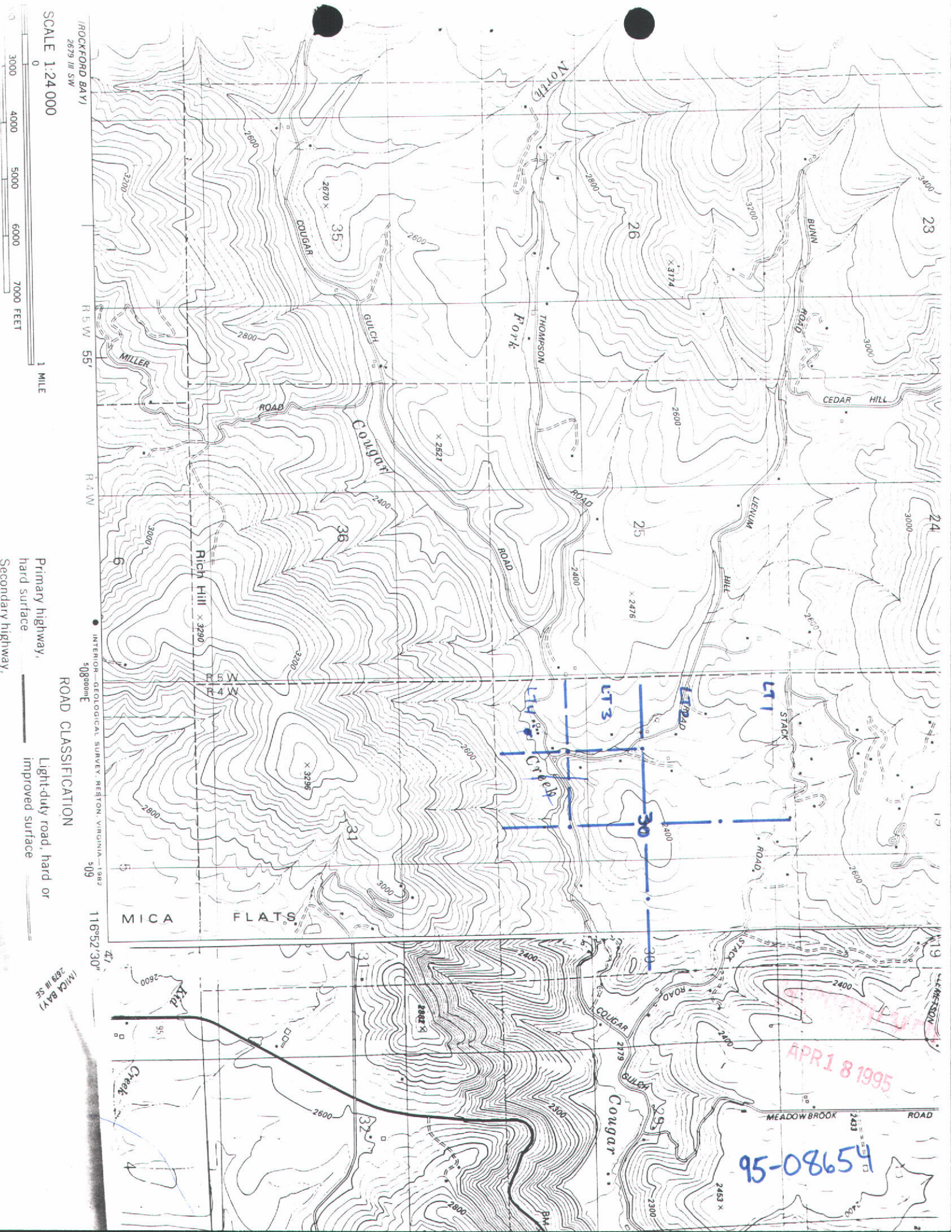
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E. NARRATIVE/REMARKS/COMMENTS

Water supplies Home.

Have conditions of permit approval been met? ☐ yes ☐ no

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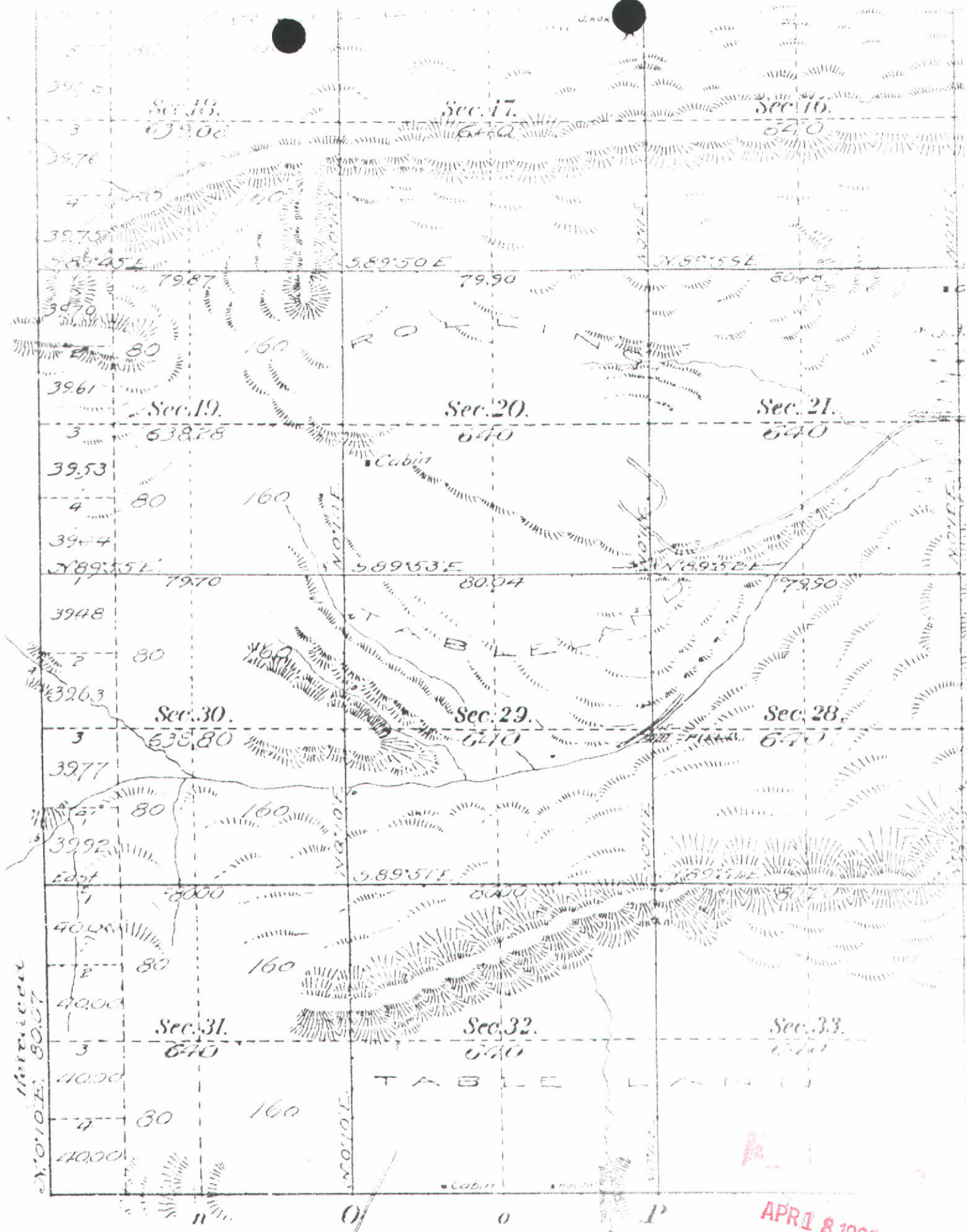
← PUMP



← PD

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Total number of

Surveys Designated

By Whom Surveyed

Date of Contract

Amount of Survey

When Made

Traverse Line W. 1/4 Sec. 31, T. 10 N., R. 10 W., 10th 1901

Con 133

M. 100 133