

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7817 Priority February 6, 1978 Amount .02 cfs

THIS IS TO CERTIFY, that Thomas M. &/or Donna J. Maloney
of Pullman, WA, has complied with the terms and conditions of Permit
No. 95-7817 issued pursuant to Application for Permit dated February 6, 1978,
and has submitted proof to the Department of Water Resources on March 8, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .02 cfs of water from Coeur d'Alene Lake,
tributary to Coeur d'Alene River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 unit)	from January 1 to December 31	at .02 cfs	and 1.2 acre feet
	from to	at cfs	and
	from to	at cfs	and

(both dates inclusive)

Subject, however, to the condition that no more than .02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the GL1 (NWNE)
Sec. 20 T48N R4W in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
48N	4W	20		GL1															

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

Director

Dkt

Identification No. _____

Application No. 95-7817

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 THOMAS M. 4/0R DONNA J. MALONEY Phone: (509) 568-8882
post office address SW 830 FOUNTAIN, PULLMAN, WA 99163
2. Source of water supply COVER D'ALENE LAKE which is a tributary of _____
3. a. Location of point of diversion is GL 1 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 20 Township 48 N
Range 4 W B.M. KOOTENAI County; additional points of diversion if any: _____
(LOT DESCRIPTION ATTACHED)
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for DOMESTIC purpose from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP AND PIPELINE TO
PLACE OF USE
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: GL-1 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 20 Township 48 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 _____
(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: WATERING LAWN AND FIRE
PROTECTION

MICROFILMED

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

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

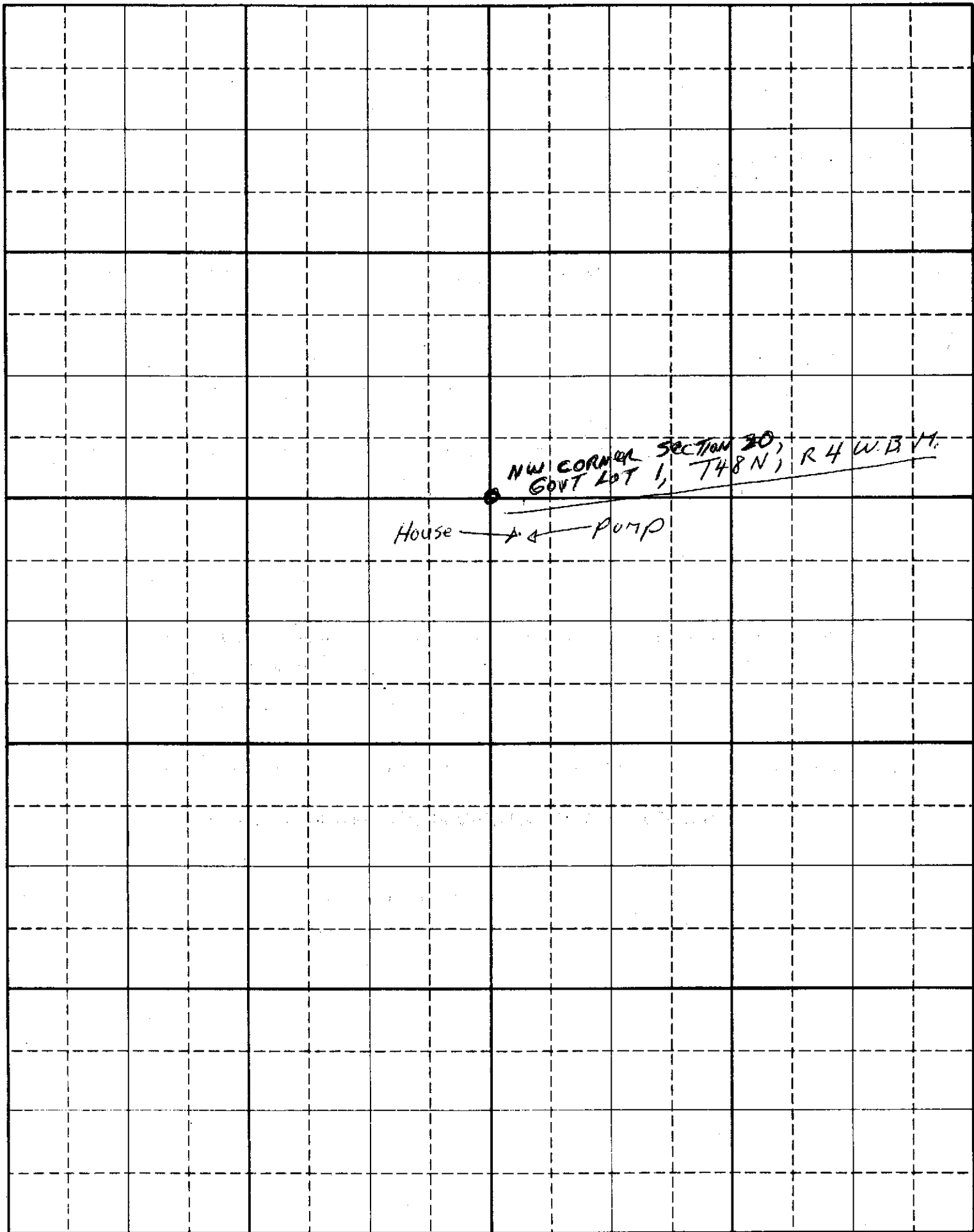
9. a. Who owns the property at the point of diversion APPLICANT

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 _____

10. Remarks _____

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Thomas M. Maloney
Donna J. Maloney
(Applicant)

Proposed Priority 2-6-78

Received by B Date 2-6-78 Time noon
Preliminary check by TK Fee \$ 10.00
Receipted by B Date 2-6-78 (9552)
Publication prepared by B Date 2-6-78
Published in Council Bluffs Press
Publication dates 2-16-23-28
Publication approved MDW Date 2-27-78
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MDW ig

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. 95-7817, 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 April 1, 1983.
- c. Other: _____

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

Witness my hand this 24th day of April, 19 78.

Norman C. Young
Administrator

REPROFILMED

$\sqrt{1521.58}$

G.O.V'T LOT 1, SECTION 20
T.48N. R.4W. B.M.

N.W. CORNER SECTION 20

-S. LINE GOV'T LOT 1 A.M.

LINE 50
4-8-84
YH00



EAST 3235.5

LOT 1. FIRST ADDN
TO BENFOINT

2020

Parcel 1
MA/oney
Parcel 2
MA/oney

x PUMP LOCATION

LAKE

~~REDACTED~~ JACK & LOUISE DEVER

The Laird, G. W. & Co.

003 NO21 1.35
003 NO21 X3

SCALE 1" = 100'		REVISIONS		DY	D
DATE 11-21-70					
DIST.	L.S.C.	CRO	F.M.		
AP'VD.					
F. A. MECKEL CHAS BY CHAS D'ALCANTARA					

WARRANTY

DEED

BOOK 287 PAGE 345

IRACTE

THE GRANTORS: GORDON W. ROWAND and ELLEN A. ROWAND, husband and wife, of E. 2011 35th, Spokane, Washington 99203, for value received, do hereby grant, bargain, sell, convey and confirm unto -----

THE GRANTEEES: THOMAS M. MALONEY and DONNA J. MALONEY, husband and wife, of S.W. 830 Fountain, Pullman, Washington 99163, and to their heirs and assigns forever, the following described property in Kootenai County, State of Idaho, to-wit:

See Exhibit "A" attached hereto and incorporated herein by this reference.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property as well in law as in equity, of the Grantor. To have and to hold all and singular the said premises, together with the appurtenances unto the Grantees and to their heirs and assigns forever. And said Grantors and their heirs, the said premises in the quiet and peaceable possession of the Grantees, their heirs and assigns, against said Grantors, their heirs, and against all and every person and persons whomsoever, lawfully claiming or to coaim the same shall and will warrant and by these presents forever defend.

DATED this 10 day of November, 1977.

Gordon W. Rowand (SEAL)
Ellen A. Rowand (SEAL)

STATE OF WASHINGTON)
) ss.
 County of Spokane)

On this day personally apperaed before me GORDON W. ROWAND and ELLEN A. ROWAND, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 10 day of November, 1977.

Thomas R. Geraghty
 NOTARY PUBLIC in and for the State
 of Washington, residing at Spokane

Copy

COMPARED
INDEXED

EXHIBIT "A"

PARCEL 1:

A tract of land in Government Lot 1, Section 20, Township 48 North, Range 4 W.B.M., Kootenai County, State of Idaho, described as follows:

Beginning at a point where the South line of Government Lot 1 intersects the shore of Lake Coeur d'Alene, said point being the Northeast corner of Lot 1, First Addition to Benpoint and being South 00°30' West, 1321.58 feet and East 3285.5 feet from the Northwest corner of Section 20; thence along the shore of Lake Coeur d'Alene as follows:

North 20°33' West, 65.0 feet; thence North 00°38' West, 260.0 feet to the true point of beginning for this description;

thence South 89°22' West, 104.72 feet to a point on the Easterly line of a private road; thence along said road line North 16°48' West 67.67 feet; thence North 89°22' East, 123.65 feet to a point on the shore; thence along the shore South 00°38' East, 65.0 feet to the true point of beginning.

PARCEL 2:

A tract of land in Government Lot 1, Section 20, Township 48 North, Range 4 W.B.M., Kootenai County, State of Idaho, described as follows:

Beginning at a point where the South line of Government Lot 1 intersects the shore of Lake Coeur d'Alene, said point being the Northeast corner of Lot 1, First Addition to Benpoint and being South 00°30' West, 1321.58 feet and East, 3285.5 feet from the Northwest corner of Section 20; thence along the shore of Lake Coeur d'Alene as follows:

North 20°33' West, 65.0 feet; thence North 00°38' West, 325.0 feet to the true point of beginning for this description;

thence South 89°22' West, 123.65 feet to a point on the Easterly line of a private road; thence along said road line North 02°58' West, 50.33 feet; thence North 82°42' East, 126.55 feet to a point on the shore; thence South 00°38' East, 65.0 feet to the point of beginning.

A 20 foot strip of land adjacent to and westerly of said Parcels 1 and 2, said 20 foot strip of land subject to public use as a roadway.

MICROFILMED

SAFECO TITLE COMPANY

Filed and recorded at the request of

9 - A

DEC 21 1977

19

Shew Smith

Carol Dally

File #

THE GRANTORS: THOMAS M. MALONEY and DONNA J. MALONEY, husband and wife, of S.W. 830 Fountain, Pullman, Washington, for value received, do hereby grant, bargain, sell, convey and confirm unto -----

THE GRANTEE: BETTY C. GRAHAM, a widow, of S.W. 735 Crestview, Pullman, Washington, and to her heirs and assigns forever, the following described property in Kootenai County, State of Idaho, to-wit:

See Exhibit "A" attached hereto and incorporated herein by this reference.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property as well in law as in equity, of the Grantor. To have and to hold all and singular the said premises, together with the appurtenances unto the Grantees and to their heirs and assigns forever. And said Grantors and their heirs, the said premises in the quiet and peaceable possession of the Grantees, their heirs and assigns, against said Grantors, their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

DATED this 28th day of November, 1977.

Thomas M. Maloney (SEAL)

Donna J. Maloney (SEAL)

STATE OF WASHINGTON)
) ss.
County of Whitman)

On this day personally appeared before me THOMAS M. MALONEY and DONNA J. MALONEY, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 28th day of November, 1977.

Mary Ellen Sp
NOTARY PUBLIC in and for the State of
Washington, residing at Pullman

EXHIBIT "A"

The southerly 30 feet of a tract of land in Government Lot 1, Section 20, Township 48 North, Range 4, W.B.M., Kootenai County, State of Idaho, described as follows:

Copy
BEGINNING at a point where the South line of Government Lot 1 intersects the shore of Lake Coeur d'Alene, said point being the Northeast corner of Lot 1, First Addition to Benpoint and being South 00°30' West, 1321.58 feet and East 3,285.5 feet from the Northwest corner of Section 20; thence along the shore of Lake Coeur d'Alene as follows:

North 20°33' West, 65.0 feet; thence North 00°38' West, 260.0 feet to the true point of beginning for this description;

thence South 89°22' West, 104.72 feet to a point on the Easterly line of a private road; thence along said road line North 16°48' West 67.67 feet; thence North 89°22' East, 123.65 feet to a point on the shore; thence along the shore South 00°38' East, 65.0 feet to the true point of beginning.

Filed and recorded at the request of

9- Clerk A. M. Ols

day of

DEC 21 1977

19

by

Shirley Smith
Deputy

File #

2-

County Auditor-Recorder
Kootenai County, Idaho
Return to

see front

RECORDED

Remarks Used for one shower and toilet.

[illegible]

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

See attached
microfilm
copy

[illegible]

☐ 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

Date 2/1/02

TOWNSHIP 48 N., RANGE 4 W. B. M.
NOOTENAI COUNTY, IDAHO

SCALE 2 IN. = 1 MILE
FOR SALE BY
MEISKER MAPS
111 SOUTH WASHINGTON, SEATTLE, WASHINGTON
1002 PINE AVE., SEATTLE, WASHINGTON



UNRECORDED

T48N R4W

1957





STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

ENCROACHMENT PERMIT NO. L-95-S-2389

Permission is hereby granted to THOMAS M. AND DONNA MALONEY
of SW 830 Fountain, Pullman, WA 99163 to construct and maintain
a domestic waterline and submersible pump
to be located as follows: The bed of Lake Coeur d'Alene adjacent to Tax No. 8520 in Lot
1, Section 20, Township 48 North, Range 4 West, Boise Meridian.

1. Construction will follow details and specifications shown on the approved drawings, and made a part hereof, together with any special conditions, procedures or endorsements required by the Department appearing on attached pages 1 through 2.
2. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
3. Acceptance of this permit constitutes permission by the permittee for representatives of the Department of Lands to come upon permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
4. The permittee assumes all liability for damages which may result from the exercise of this permit.
5. All applicable provisions of the Rules for Regulation of Beds, Waters and Airspace Over Navigable Lakes and Streams in the State of Idaho, are incorporated herein by reference and made a part hereof.
6. This permit does not relieve the permittee from obtaining additional local or Federal permits as required.
7. The Director of the Department of Lands may cancel this permit for cause upon notice and hearing as provided for in the adopted rules.

MICROFILMED

FOR THE DIRECTOR

BY: William Chambers
TITLE: Chief, Bureau of Navigable Waters

DATE: 17 April 1978

DL-1751-75

DOMESTIC WATER SUPPLY



HWM

LWM

PLAN

EST 30'

x pump

↖
C of PROPERTY

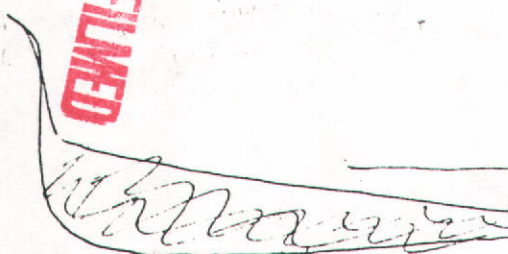
MICROFILMED

ELEVATION

EST 6'

Q - PUMP

BEACH



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 112/10157

☒ 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) SK 2-6-78

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) SK 2-6-78

☒ Dept. Lands

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

Request Dam Safety Information

(4) SK 2-6-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) SK 2-27-78

Affidavit of Publication received(date) 2-27-78

(12) _____

Final date for protests 3-6-78
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

RECEIVED

MAR 9 1978

Department of Water Resources

2-6-78 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 3-7-78

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Thomas M &/or Donna J Maloney
SW 830 Fountain, Pullman, Wa
has on February 6, 1978 submitted Application No. 95-7817
for a permit to appropriate 0.02 cubic feet per second ~~xxxxxx feet per annum~~
of water from Coeur d'Alene Lake
by means of a pump
within the Gov Lot 1, Sec 20, T48N, R4W, B.M., Kootenai County

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

within the Gov Lot 1, Sec 20, T48N, 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 March 6, 1978.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Id
on February 16 and February 23, 1978

REPROFILMED

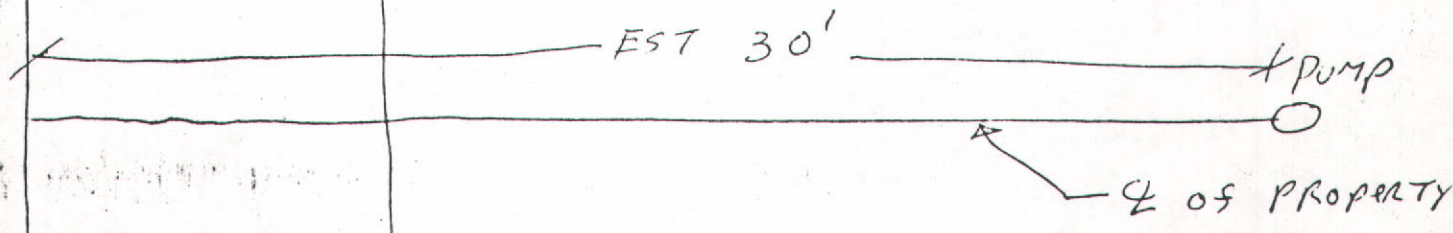
DOMESTIC WATER SUPPLY



HWM

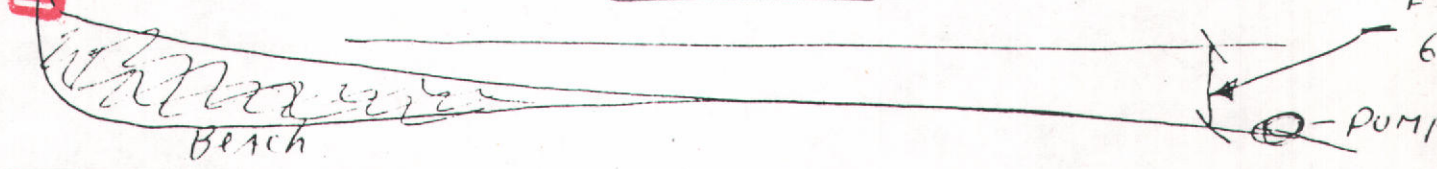
LWM

PLAN



ELEVATION

UNNOTICED



MICROFILMED

500.50' W 1521.58'

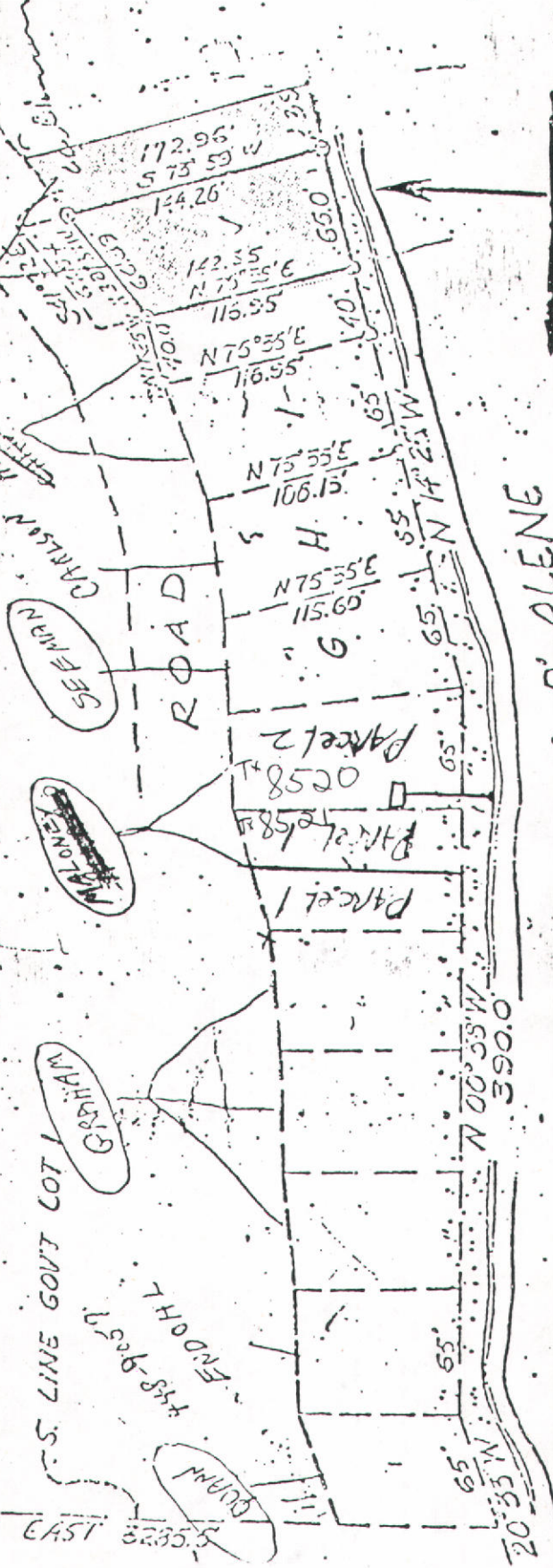
N.W. CORNER SECTION 20

GOVT LOT 1, SECTION 20
T.48N. R.4W. B.M.

S. LINE GOVT LOT 1

EAST 3235.5'

445-9037
END OF L



LAKE COEUR D' ALENE

JACK & LOUISE PEVER



EX. IRON ROD
SET IRON ROD

PLAT OF SURVEY OF A PORTION OF GOVT
LOT 1, SEC. 20, T.48N. R.4W. B.M. KOOTENAI CO. ID.

SCALE	1" = 100'	REVISION	BY
DATE	11-21-70		
DRAWN	L.C.	CKD	FM
APPROVED			