

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-7786

Priority: September 20, 1977 Amount: .02 CFS 1.2 AFA

This is to certify, that A. L. REBILLARD
BEULAH REBILLARD

E. 3322 16TH
SPOKANE, WA 99203

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated September 20, 1977, and has submitted proof to the Department of Water Resources on January 5, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from;

HAYDEN LAKE tributary to SINKS

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	03/15 to 11/15	.02 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 1(NENE), Sec. 20, Township 51N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

51N 3W 20 LOT 1(NENE)

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 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 27 day of August, 1987.

MICROFILMED

SEP 29 1987

By Director

DAVID B. SHAW

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL
OF APPLICATION FOR PERMIT NO. 95-7786 IN THE
NAME OF A. L. REBILLARD &/OR BEULAH REBILLARD

MEMORANDUM DECISION
AND ORDER

On September 20, 1977, A. L. and/or Beulah Rebillard of Spokane, Washington filed with the Department of Water Resources an application for permit to appropriate 0.02 cubic foot per second of water from Hayden Lake to be diverted within Government Lot 1, Sec. 20, Twp. 51N, Rge. 3W, B.M., Kootenai County, to be used for domestic purposes from March 15 to November 15.

Notice of this application was published in the Coeur d'Alene Press, Coeur d'Alene, Idaho on September 29 and October 6, 1977. On October 6, 1977, the Department received a protest against the granting of a permit from Honeysuckle Hills Owners Association, Inc.

A conference on the matter was held at Coeur d'Alene, Idaho on January 26, 1978. The applicants and protestant were present and represented themselves. Testimony was heard from both the applicants and protestant and it was agreed by both parties that the Department should reach a decision in the matter based upon the conference.

FINDINGS OF FACT

1. The center of conflict between the applicants, A. L. and/or Beulah Rebillard, and the protestant, Honeysuckle Hills Owners Association, Inc. is not whether applicants take water from Hayden Lake pursuant to their application, but rather whether the applicants can withdraw from the Honeysuckle Hills Owners Association without paying to the association of \$1,000.00 assessment to pay for a new well and distribution system recently constructed by the association.

2. The Honeysuckle Hills Owners Association, Inc. presently supplies the applicants with water from the same source as proposed by the applicants.

3. The protestant would refuse to supply the applicants with water if he resigns his membership and no longer pays his water bills.

4. Injury to the water right of the protestant was not raised as an issue.

CONCLUSIONS OF LAW

1. The conflict between the applicants and the protestant regarding whether the applicants are liable for the assessment for the new water system is

not a matter that can be considered by the Director in making his decision on this application.

2. There would not be a duplication of water rights if the protestant no longer delivers water to the applicant.

3. The water right of the protestant will not be injured by the appropriation of water by the applicant.

ORDER

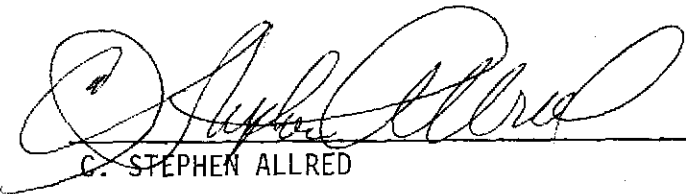
IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 95-7786 is APPROVED subject to the following conditions:

1. This permit is subject to all prior existing water rights.

2. The combined rate of diversion under this permit and water supplied by Honeysuckle Hills Owners Association, Inc. for the same use shall not exceed 0.02 cfs.

3. Proof of construction of works and application of water to beneficial use shall be submitted to the Department of Water Resources on or before March 1, 1984.

Dated this 26 day of March, 1979


C. STEPHEN ALLRED
Director

MICROFILMED

Identification No. _____
Application No. 95-7786

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 A. L. Rebillard & Beulah Rebillard Phone: 509-534-7580
post office address E. 3322-16th Spokane, Wa. 99203
2. Source of water supply Hayden Lake which is a tributary of _____
3. a. Location of point of diversion is G.L. 1 of Section 20 Township S1N
Range 3W B.M. Kootenai County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.02 for Domestic purpose from Mar 15 to Nov 15 (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 & 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: G.L. 1 of Section 20 Township S1N
Range 3W 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 One.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

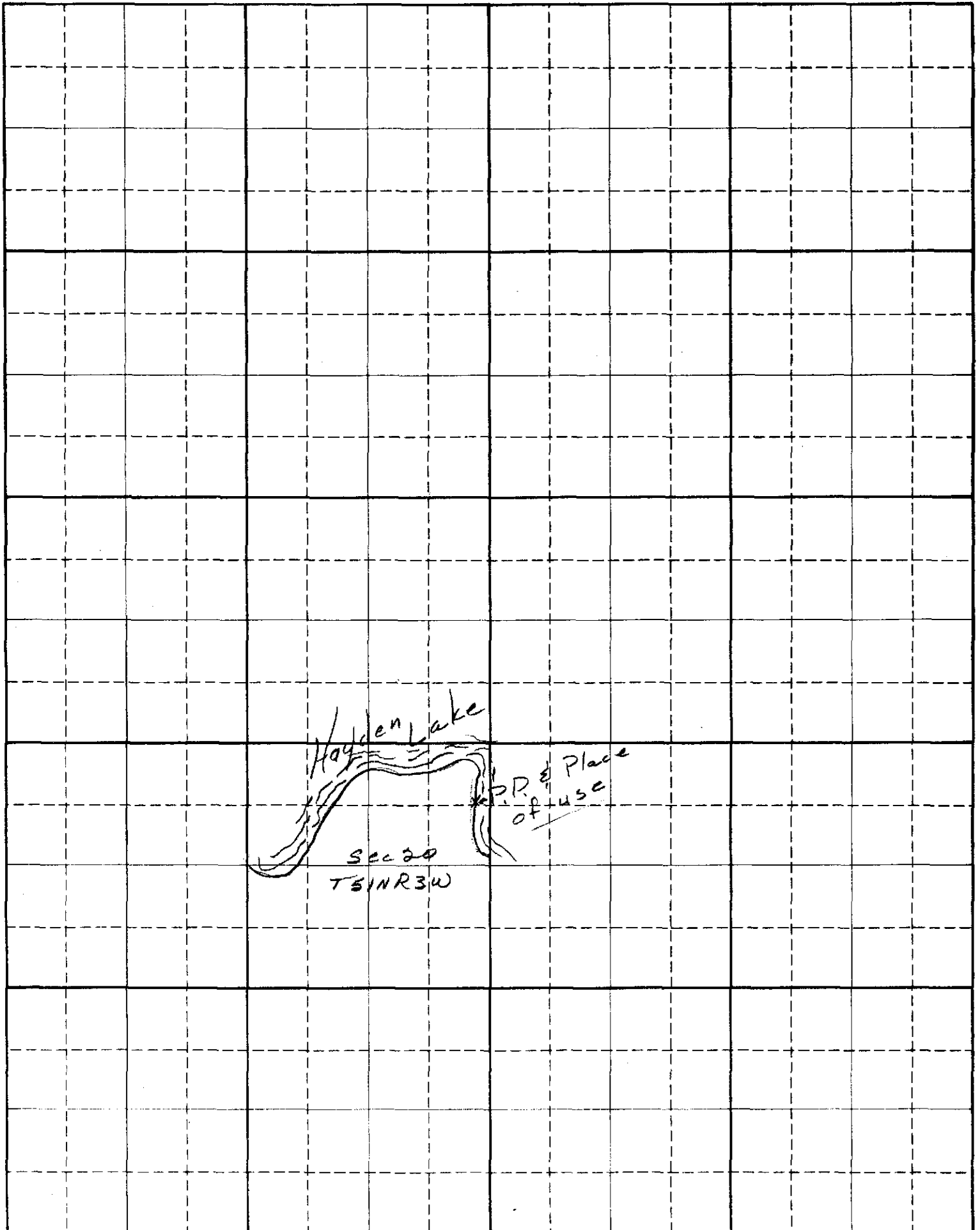
9. a. Who owns the property at the point of diversion State of Idaho, Dept Lands

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 Applying for permit through Dept. Lands.

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.

X. A. L. Rabillard
(Applicant)



Proposed Priority: 9-20-77

Received by TK Date 9-20-77 Time 4:35 PM
Preliminary check by KK Fee \$ 10.00
Receipted by TK Date 9-20-77 (9403)
Publication prepared by P Date 9-21-77
Published in Corn & Atom Power
Publication dates 9-29 & 10-6-77
Publication approved AKW Date 10-7-77
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7786, 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 March 1, 19 84.

c. Other: _____

PURSUANT TO MEMORANDUM DECISION AND ORDER OF THIS DATE

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

Witness my hand this 26 day of March, 19 79.


Director

RECOMMENDED AMOUNTS

- [illegible]

SEP 29 1987

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: GL-1 (NENE) Sec. 20, T51N, R3W

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
51N	3W	20	X																
			G																
			L																
			I																

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Recommended Amendments:

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

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

SEP 29 1987

Examiner's Signature [Signature]
 Checked by [Signature]
 Approved by _____

Date 7/3/84
 Date 7/11/84
 Date _____



95-7786

T. 52 N.
T. 51 N.

47'30"

HAYDEN 2.3 MI.

ELEVATION 2238 JULY 1958

2 220 000
FEET

47°45'
116°45'

260 000 FEET

42'30"

ICOEUR D'ALENE 1:62 500

Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS
Topography by photogrammetric methods from aerial
photographs taken 1958. Field checked 1961
Polyconic projection, 1927 North American datum
1983 U.S. Geological Survey coordinate system, west zone
1983 U.S. Geological Survey Transverse Mercator grid ticks,
zone 11, shown in blue
Fine red dashed lines indicate selected fence lines

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SEP 29 1987



APPROXIMATE MEAN
DECLINATION, 1961



THIS MAP
FOR SALE BY U.S. GEOLOGICAL SURVEY
A FOLDER DESCRIBES THE MAP

NAME AND ADDRESS OF SENDER

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

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

POSTMARK AND DATE OF RECEIPT

RECEIVED

POD Form 3877-A—July 1958

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	IF C. O. D. SENT	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE
1	13107 AL Rebillard, E 3322 16th St, Spokane, Wa	13	60		25			
2	13108 Honeysuckle Hills Own. PO Box 417, Hayden Lake, Id							
3	13109 AT Zirkle, Box 742 Rt 2, Post Falls, Id 83854							
4	13110 RG Bishop, Sturgeon Assoc., E 8523 Courtland, Spokane, Wa 99206							
5	13111 Gerald Mc Daniel, Rt 1 Box 154A, Cataldo, Id 83810							
6	13112 Joseph Greenley, F & G, 2320 Gov't Way, CDA							
7	13113 Scott Reed, PO Box A, CDA							
8	13114 Pat Flammie, PO Box 1117, CDA							
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
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," "I" if "Ice," "LI" if "Liquid," and "FLI" if "Fragile-Liquid—This Side Up." 2 Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.		

U. S. GOVERNMENT PRINTING OFFICE

CA2-16-72910-2

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7784 Rebillard

☒ 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) KK 9/20/77

In form to receipt

(2) KK 9/20/77

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management
☒ ID DEPT OF LANDS
☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(3) _____

(4) KK 9/20/77

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: _____

(11) SW 10-7-77

Affidavit of Publication received(date) 10-7-77

(12) SW 10-6-77

Final date for protests 10-7-77

Protests received: yes ☒ no _____

(13) _____

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

(14) _____

Action recommended:

_____ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District _____ By _____ Date _____

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that A L &/or Beulah Rebillard

E 3322 16th, Spokane, Wa

has on September 20, 1977 submitted Application No. 95-7786

for a permit to appropriate 0.02 cubic feet per second ~~acres feet per annum~~

of water from Hayden Lake

by means of a pump & pipeline

within the Gov Lot 1, Sec 20, T51N, R3W, B.M., Kootenai County

to be used from March 15 to Nov 15

for domestic purposes

within the Gov Lot 1, Sec 20, T51N, R3W, 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 October 17, 1977.

C. STEPHEN ALLRED
Director

Published in the Coeur d'alene Press, Coeur d'Alene, Id

on September 29 and October 6, 1977

MICROFILMED