

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 95-7565 Priority November 24, 1975 Amount 0.04 cfs

THIS IS TO CERTIFY, that John W. McClure
of Post Falls, Idaho, has complied with the terms and conditions of Permit
No. 95-7565 issued pursuant to Application for Permit dated October 16, 1975,
and has submitted proof to the Department of Water Resources on November 3, 1983,
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 spring,
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
Domestic (1 Unit)	from January 1 to December 31	at 0.04 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 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
1.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30,
Twp 52N, Rge 5W in the County of Kootenai

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 $\frac{1}{4}$	
52N	5W	30	X																

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9TH day of
JANUARY, 19 85.

RECORDED

Acting for the Director

Norm C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7565 IN THE
NAME OF JOHN W. MCCLURE

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-referenced permit in the name of Lewis J. and/or Clara Howell with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1983; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, on November 3, 1983, the Department received proof from John W. McClure; and,

WHEREAS, the Department notified the permit holders of record and John W. McClure that the proof would be acceptable if the permit was conveyed to John W. McClure thru an assignment; and,

WHEREAS, the Department has notified the permit holders that the permit has lapsed for failure of the permit holders to submit an acceptable proof of beneficial use; and,

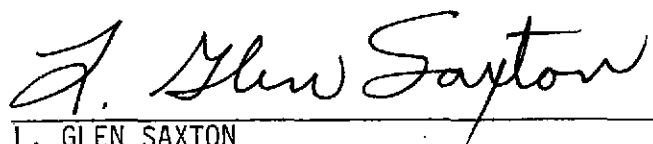
WHEREAS, on December 9, 1983, the permit holders assigned all right, title, and interest in and to Permit No. 95-7565 to John W. McClure; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of 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 ownership of the permit on December 9, 1984;

IT IS, THEREFORE, HEREBY ORDERED that the permit be REINSTATED and the priority advanced to November 24, 1975.

Dated this 9th day of February, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	95-7565	Lewis J. &/or Clara Howell	0.04 cfs
Full Assignment		John W. McClure	0.04 cfs

State of Idaho
Department of Water Resources

RECEIVED
JAN 6 1984

ASSIGNMENT OF PERMIT

I, CLARA A. HOWELL, hereby assign to JOHN W. MC CLURE Department of Water Resources

of N. 13450 Three Forks Rd. Post Falls, Idaho 83854
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 95-7565
to appropriate the public waters of the State of Idaho.

☐ 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 that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 9th day of December, 1983.

Clara A Howell
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Idaho) ss.

On this 9 day of December, 1983, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (~~they~~) executed the same.

seal

Carol L. Day
Notary Public residing at

My commission expires:

ok to
process
CW
1/9/84

OCT 6 1980

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

Clara A Howell of N 13450 Threeforks Rd. Port Falls Id.
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public
Waters of the State of Idaho No. 95-7565-.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before Nov 1-, 1980.

That he has heretofore performed the following work described under said permit: Developed
one spring and piped the water to dwelling
by inclosing water in underground 20-000
gallon cement tanks at an altitude to produce
power of gravity to develop enough ^{pressure to conserve} Costing \$ ~~app. 28000~~

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Death of Lewis K Howell - my husband
which delayed further development
temporarily.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to three more years - 1983.

Clara A Howell
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit the statement of beneficial use is extended to November 1, 1983.

Signed this 15 day of October, 1980.

David R. Tuthill
DAVID R. TUTHILL, JR.
Acting Chief, Operations Bureau

RECEIVED

\$15.00 fee received by tg

Date 10-15-1980 Receipt # 16490

Identification No. 95-7565

Application No. _____

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 Lewis J. &/or Clara Howell Phone: _____
post office address Route 1, Box 256, Post Falls, Idaho 83854
2. Source of water supply Unnamed Spring which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30 Township 52N
Range 5W 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 _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 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. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Developed spring 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: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30 Township 52N
Range 5W 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: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

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 _____

Township 52N, Range 5W

30

SPRING AND PLACE OF USE

The map is a grid of 12 columns and 12 rows. The text 'Township 52N, Range 5W' is located in the 10th column, 10th row. The number '30' is located in the 10th column, 11th row. The text 'SPRING AND PLACE OF USE' is located in the 11th column, 11th row, with a small circle and a line pointing to the 10th column, 11th row.

Blane Howell
(Applicant)

Proposed Priority 10-16-1975

Received by cp Date 10-16-75 Time 2:00 pm

Preliminary check by RJA Fee \$ 10.00

Receipted by cp Date 10-16-75 (Rec't. #3851)

ant Publication prepared by cp Date 10-17-75

Published in Coeur d'Alene Press

Publication dates 10-23 & 10-30-75

Publication approved cp Date 11-10-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RJA

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. 95-7565, 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 November 1, 19 80.

c. Other: _____

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

Witness my hand this 17 day of November, 19 75.

D. Keith Higgins
Director

RECOMMENDED AMOUNTS

License

3. (late proof)

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
95-7565	11-24-1975	0.04 cfs	10-16-1975	11-3-1983	0.04 cfs

4. Permit Holder: John W. McClure

Address: N. 13450 Three Forks Rd., Post Falls, ID 83854

5. Source: spring tributary to sinks

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic ✓ (+) (1 unit)	1-1 ✓ 12-31 ✓	0.04 ✓	1.2 ✓

Allowable Maximums: 0.04 ✓ 1.2 ✓

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NE	NE	30	52N	5W	Kootenai

8. Place(s) of Use

Twp.	Rge.	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	
52N	5W	30	X																
Total Acres																			

9. Recommended Conditions/Remarks:

10. 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

11. Examiner's Signature [Signature]

Date 8/14/84

Checked in Regional Office by [Signature]

Date 8/20/84

Approved in State Office by [Signature]

Date 12-7-84

Department of Water Resources

Permit No. 95-7565

Phone No. _____

1. Owner: N/C John McClure Phone No. _____
Current Address: N. 13450 Three Forks Road Post Falls, Id. 83854

2. Accompanied by: _____ EXAM. DATE: 7/5/84
Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Sinks

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

x2, 1500 gal ~~sto can~~ Buried concrete vault with gravity flow
pipe to home

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

7. Measurements ☐ Additional data/computation sheets attached

3. Point(s) of Diversion: Indicate Method of Determination *MSP*

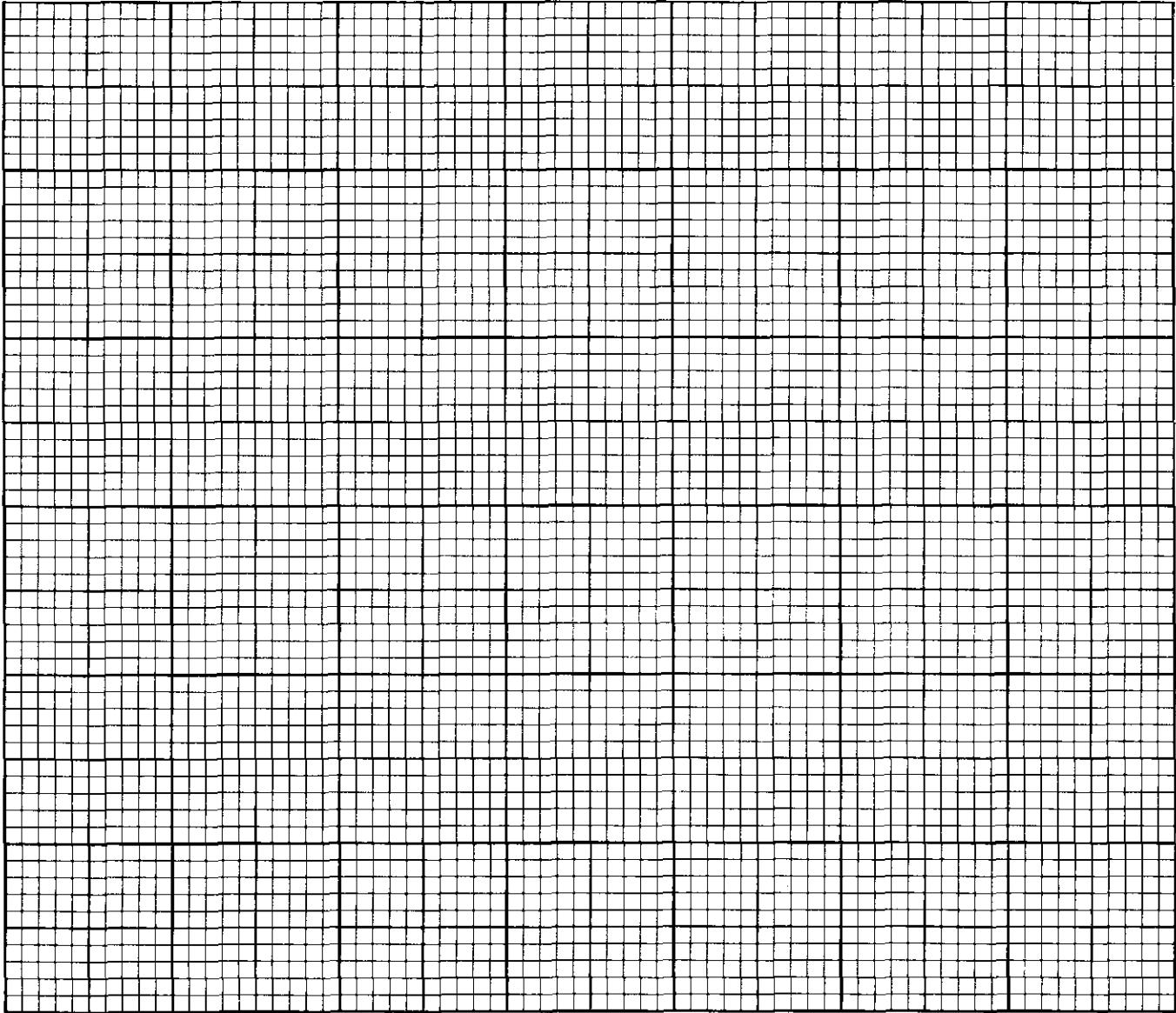
[illegible]

3. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination Map

[illegible]

Total Acres _____

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks _____
15. 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
16. Examiner's/Consultant's Signature [Signature] Date _____
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct
- Beneficial Use Examination _____
- Date _____
- CONSULTANT SEAL



OK

MICROFILMED

2230 000 FEET
(IDAHO)

ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 95-7565

DATE: 2-8-1984

Date proof received

343

* Dec. 9, 1983

Proof due

- 305

Nov 1, 1983

Number of day proof late

38

Priority date

+ 289

Oct 16, 1975

New priority date

327

Nov. 24,
~~Dec. 3,~~ 1975

Remarks:

* The is the date the permit actually changed ownership, even though the dept. didn't receive the permit until January 6, 1984.

IDENT. NO. 95-7565

WATER RIGHT
DATA ENTRY LOG

[illegible]

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

RAH 10-17-75

Application No. 95-7565 Lewis J and/or Clara Howell

☒ 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) RAH 10-17-75

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

(4) RAH 10-17-75

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) CP 11/10

Affidavit of Publication received (date) Nov. 5, 1975

(12) CP 10/17

Final date for protests NOVEMBER 10, 1975
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

NOV 12 1975

☒ Approve

Department of Water Resources

Proposed Priority 10-16-75

Reason for Reduction _____

No Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By S. S. Skyles

Date 11/10/75

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lewis J. &/or Clara Howell,
Route 1, Box 256, Post Falls, Idaho
have ~~xxx~~ on October 16, 1975 submitted Application No. 95-7565
for a permit to appropriate 0.04 cubic feet per second ~~xxxxxx~~
of water from an Unnamed Spring
by means of pipeline
within the NE~~1~~NE~~1~~, Sec. 30, T. 52N, R. 5W, B.M., Kootenai County

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

within the NE~~1~~NE~~1~~, Sec. 30, T. 52N, R. 5W, 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 November 10, 1975.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on October 23 and October 30, 1975

RECEIVED