

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7551 Priority August 21, 1975 Amount .20 cfs

THIS IS TO CERTIFY, that WILLIAM N. &/or LINDA K. MYERS  
of Post Falls, ID, has complied with the terms and conditions of Permit  
No. 95-7551 issued pursuant to Application for Permit dated August 21, 1975,  
and has submitted proof to the Department of Water Resources on September 2, 1980,  
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 .29 cfs of water from a groundwater source,  
tributary to \_\_\_\_\_, 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 |
|-----------------------|--------------------------------------------------------|-----------------------|---------------|
| Irrigation            | from <u>3/15</u> to <u>11/15</u> at <u>.20</u> cfs and | <u>70.0</u> acre feet |               |
| Domestic<br>(3 units) | from <u>1/1</u> to <u>12/31</u> at <u>.06</u> cfs and  | <u>3.6</u> acre feet  |               |
| Stockwater            | from <u>1/1</u> to <u>12/31</u> at <u>.02</u> cfs and  | <u>.2</u> acre feet   |               |

(both dates inclusive)

Subject, however, to the condition that no more than .20 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  
73.8 acre feet per year, said waters to be diverted within the NENE Sec. 26, Twp. 51N,  
Rge. 5W, B.M. in the County of Kootenai

Description and location of place of use:

| Twp. | Range | Sec. | NEW |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NEW | NW¼ | SW¼ | SE¼ | NEW | NW¼ | SW¼ | SE¼ | NEW | NW¼ | SW¼ | SE¼ | NEW | NW¼ | SW¼ | SE¼ |        |
| 51N  | 5W    | 26   | 20  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 20     |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres irrigated 20

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 25<sup>th</sup> day of  
June, 19 81.

Director

Identification No. 95-7551

Application No. \_\_\_\_\_

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR PERMIT**

**To Appropriate the Public Waters of the State of Idaho**  
(TYPE OR PRINT IN INK)

**APPROVED**

1. Name of applicant William N. &/or Linda K. Myers Phone: \_\_\_\_\_  
post office address Route 3, Box 577, Post Falls, Idaho

2. Source of water supply Ground water which is a tributary of \_\_\_\_\_

3. a. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 26 Township 51N  
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 0.20 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)

(cfs or acre-feet per annum)  
Amount 0.06 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)

(cfs or acre-feet per annum)  
Amount 0.02 for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)

5. Total quantity to be appropriated:

a. 0.20 cubic feet per second and/or

b. \_\_\_\_\_ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump with 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 8 inches; proposed depth of well is 270 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 26 Township 51N  
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 5 head of beef cattle.

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water three.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

**WATER DIVISION**  
**IDAHO DEPARTMENT OF WATER RESOURCES**

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

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 51N  | 5W    | 26   | 20  |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 20     |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 20

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

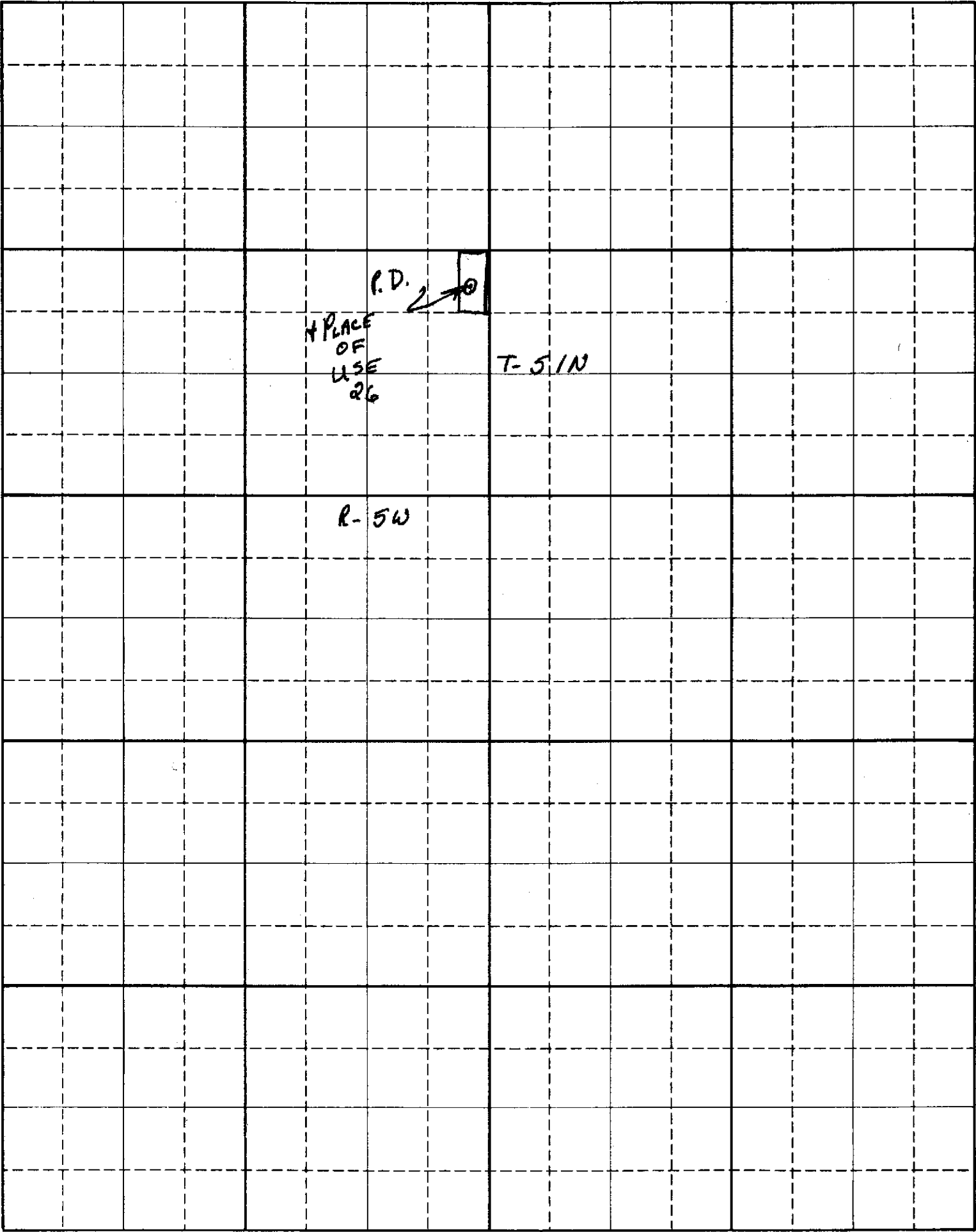
9. a. Who owns the property at the point of diversion Applicant

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.

Linda Kay Myers  
(Applicant)

Proposed Priority 8-21-1975

Received by KK Date 8-21-75 Time 9:30 am

Preliminary check by KK Fee \$ 10.00

Receipted by cp Date 8-21-75 (Rec't. #1000)

AA Publication prepared by cp Date 8-22-75

Published in Post Falls Tribune

Publication dates 8-28 & 9-4-75

Publication approved RGH Date 9-16-75

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by RGH

#### 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. 95-7551, 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 September 1, 19 80.

c. Other: \_\_\_\_\_

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

Witness my hand this 29 day of September, 19 75.

R. Karl Hjort  
Director

95-7551

4718

BOOK 250 PAGE 399

718397

DEED TO INTEREST IN WELL

This deed is made this 12<sup>TH</sup> day of December, 1976, between WILLIAM N. MYERS and LINDA K. MYERS, husband and wife, of Kootenai County, State of Idaho (Grantor), and Raymond Buchholz, and Marcella K. Buchholz, husband and wife, of Rt. 3, Box 578, Post Falls, ID 83854. (Grantee).

Grantor has developed and now owns a twelve-inch water well with a five horsepower domestic pump and a twenty horsepower irrigation pump located thereon that is being used in connection with the supply of domestic water and irrigation water to Tracts 1, 16, and 17, Block 26, Post Falls Irrigated Tracts, Kootenai County, State of Idaho, according to the plat recorded in Book C of Plats, pages 78, 79 and 80. Grantee is the purchaser of part of the above-described property and desires to obtain a supply of domestic and irrigation water for use thereon.

Therefore, Grantor, in consideration of the sale from Grantor to Grantee of property being served by the well described herein, and subject to the conditions set forth in this agreement, does hereby grant, sell and convey to Grantee an undivided one-fourth interest in and to the well, casing, pumps, motors, electrical circuits, pump house, and supply lines located on:

The North half of Tract 1, Block 26, POST FALLS IRRIGATED TRACTS, Kootenai County, State of Idaho, according to the plat recorded in Book C of Plats, page 78 to page 80.

Grantor further grants to Grantee the right to take one-fourth of the water from the well for domestic purposes from the pump for domestic use and the right to take their appropriate share allocated by the Idaho Department of Resources of the water from the irrigation pump for irrigation use and the right to convey such water from the well on the above-described land to Grantee's land by pipe, together with an easement on, in, over and across any land of Grantor specified above necessary for the repair and maintenance of the water supply system to Grantee's land.

Reserving therefrom to Grantor, their heirs, successors and assigns an easement on, in, over and across Grantee's land for the purposes of repairing, replacing and maintaining the water line existing thereon.

This conveyance is made on the condition that Grantee, their heirs, successors and assigns shall bear one-fourth of all the expenses incurred in the operation, maintenance and improvement of the above-described well and pump system and one-fourth of all the expenses connected with the maintenance of the well and all accessories thereto. All costs for materials, supplies and labor connected with hooking up to the main water line will be made at the sole expense of Grantee.

Grantor will have the general control and supervision over the well, pumps, and pumping system and will be responsible for maintaining the records and accounts of the well system and for maintaining the Myer Tract Well Fund Savings Account. Decisions to be made concerning the maintenance, operation, or anything connected with the functioning of the well system will be made by the owners of the well. A decision of the holders of a majority of the interest in the well will be binding upon all of the owners of the well.

MICROFILMED

95-7551

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There will be maintained as a reserve account for present and future well expenses, repairs and improvements an account called Myer Tract Well Fund Savings Account, which will be maintained at the First Federal Savings & Loan Association. Grantor, and one other owner of the well, as determined by a vote of the persons holding a majority of the interest in the well, will be the authorized signatories on this account. Each owner of the well will contribute \$5.00 per month to the well fund until a minimum of \$1,000.00 has been contributed to the account. At that time, no further contributions will be made except that contributions, as funds are taken from the account for well purposes, will be made to maintain the balance in the well account of at least \$1,000.00.

Anything in this agreement to the contrary notwithstanding, Grantor shall not be liable in any respect whatever for failure, suspension, or diminution in water service or pressure to be supplied by the well and pumps described herein.

The rights and obligations of this agreement shall be binding upon the heirs, personal representatives, successors and/or assigns of the parties hereto.

Dated this 10<sup>th</sup> day of December, 1976.

9:30

William N. Myers  
Grantor, William N. Myers

Linda K. Myers  
Grantor, Linda K. Myers

Raymond Buchholz  
Grantee, Raymond Buchholz

Marcella K. Buchholz  
Grantee, Marcella K. Buchholz

STATE OF IDAHO )  
 ) ss.  
County of Kootenai )

On this 10<sup>th</sup> day of December, 1976, before me, the undersigned, personally appeared WILLIAM N. MYERS and LINDA K. MYERS, known to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same.

[Signature]  
Notary Public for Idaho  
Residing at \_\_\_\_\_  
Commission expires \_\_\_\_\_

WILL OF \_\_\_\_\_ )  
 ) ss.  
County of \_\_\_\_\_ )

On this 12<sup>th</sup> day of \_\_\_\_\_, 1976, before me, the undersigned, personally appeared Raymond Buchholz and Marcella K. Buchholz, known to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same.

[Signature]  
Notary Public for  
Residing at \_\_\_\_\_  
Commission expires \_\_\_\_\_

MICROFILMED

JUN 15 1981

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT

Department of Water Resources

7551  
~~95-2551~~  
Permit No.  
28-1

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

- ☐ Appointment letter mailed: See 95-7661
- ☐ Telephone call made: See 95-7661  
(List Telephone No. used)
- ☐ Appointment scheduled for: See 95-7661  
(Date, time, location)

EXAMINATION

Date 6-5-81 Accompanied by Mr & Mrs Myers Total Q measured 0.29  
If source is surface water, estimate total flow of source  
Methods of measurement Press & Calc. Meets Permit requirements? yes

Measurement calculations: 24 Rainbird 30 with 1/4" nozzle @ 40 PSI  
Pump Eff. - Domestic Pressure - Irr.  
8.8(15).8 24(5.37) = 0.29  
2.33(40) + 234 = 0.32  
@ 70% = 0.28  
Pump Eff. - Irrigation  
8.8(25).8 = 0.47 cfs  
2.33(40) + 234  
AF  
20 Ac(3.5) = 70 AF/ann  
0.20(1.98) = 0.40 = 97 AF/ann  
3 homes = 4.2 AF 3.6 AF.  
5 hd sto = 0.20 AF

Permit Max 0.20 cfs

| WELL/DIVERSION* NO. | HP | MOTOR MAKE | MOTOR SERIAL NO. | PUMP MAKE | PUMP SERIAL NO. | MEASURING DEVICE TYPE | CONDITION OF MEAS. DEV. | REMARKS |
|---------------------|----|------------|------------------|-----------|-----------------|-----------------------|-------------------------|---------|
| Domestic            | 15 | Redbeck    |                  |           |                 |                       |                         | SUB     |
| Irrigation          | 25 |            |                  |           |                 |                       |                         | SUB     |

Static water level = 234'

System Description 8" x 270' well with 15hp pump to 4 homes within 1/2 mile & 25 H.P. pump to irrigation system

\*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

| USE        | Irrigation requirement = 3.5 |         | AFA/Acre |       |
|------------|------------------------------|---------|----------|-------|
|            | Q (cfs)                      | V (afa) | FROM     | TO    |
| Irrigation | 0.20 ✓                       | 70.00 ✓ | 3-15     | 11-25 |
| Domestic   | 0.06 ✓                       | 3.60 ✓  | 1-1      | 12-31 |
| Stock      | 0.02 ✓                       | 0.20 ✓  | 1-1      | 12-31 |
| Total      | 0.28 ✓                       | 73.8 ✓  |          |       |

Remarks

MICROFILMED

MAP (Attach Aerial Photo)

SEE ATTACHED

### SCHEMATIC DIAGRAM OF SYSTEM

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

# MICROFILMED

Point(s) of diversion: NE NE, Sec 26, T54N, R5W

Place(s) of Use

[illegible]

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

Examiner's Signature

Checked by

Approved by

Date 6-8-81

Date 6/10/81

Date 6/16/81

7661



NOT TO SCALE

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

DA 8.21.75

Application No. 95-7551

William NoLinda R  
Myers

☒ 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) DA 8.21.75

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) DA 8.21.75

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 9/22

Affidavit of Publication received (date) SEPT. 7, 1975

(12) CP 8/22

Final date for protests SEPT. 15, 1975

Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

All requested information received from agencies or applicant: yes \_\_\_\_\_ no \_\_\_\_\_

(14) \_\_\_\_\_

Action recommended:

☒ Approve

\_\_\_\_\_ Proposed Priority 8-21-75

\_\_\_\_\_ Reason for Reduction SEP 23 1975

\_\_\_\_\_ Measuring device required Department of Water Resources

\_\_\_\_\_ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Myers

Date 9-22-75

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that William N. &/or Linda K. Myers,  
Route 3, Box 577, Post Falls, Idaho  
have ~~has~~ on August 21, 1975 submitted Application No. 95-7551  
for a permit to appropriate 0.20 cubic feet per second ~~acres feet per annum~~  
of water from a ground water source  
by means of pump and pipeline  
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 26, T. 51N, R. 5W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31 for domestic (0.06 cfs) and stockwatering  
~~xxx~~ purposes (0.02 cfs); and from March 15 to Nov. 15 for the irrigation of  
20 acres (0.20 cfs)  
within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 26, T. 51N, 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  
September 15, 1975.

R. KEITH HIGGINSON  
Director

Published in the Post Falls Tribune, Post Falls, Idaho  
on August 28 and Sept. 4, 1975