

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 94-7044 Priority December 17, 1973 Amount 0.61 cfs

THIS IS TO CERTIFY, that Edwin Charles &/or Bobbi Deason
of Cataldo, Idaho, has complied with the terms and conditions of Permit
No. 94-7044 issued pursuant to Application for Permit dated December 17, 1973,
and has submitted proof to the Department of Water Resources on November 6, 1978,
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 0.61 cfs of water from a spring,
tributary to Latour Creek, 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
Power	from <u>January 1</u> to <u>December 31</u>	at <u>0.61</u> cfs and	<u>N/A</u>
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2 acre feet</u>
(1 Unit)	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.61 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 Gov. Lot 2 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
Section 34, Twp 48N, Rge 1W 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 $\frac{1}{4}$	
48N	1W	34			<u>L$\frac{2}{X}$</u>														

Total number of acres irrigated _____

MICROFILMED

CONDITIONS OF APPROVAL

- a. 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.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

The diversion and use of water under this license is subject to review by the Director 30 years from the date of issuance. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7TH day of MARCH, 19 85.

Acting for the

Director

Norman C Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 94-7044

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director



Identification No. 94-7044

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Edwin Charles &/or Bobbi Deason
post office address Box 74, Cataldo, Idaho
2. Source of water supply Unnamed Spring which is a tributary of Latour Creek
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 48N
Range 1W 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 0.96 for Power Production 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)
5. Total quantity to be appropriated:
a. ~~0.96~~ 1.00 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection box 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 _____ 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: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34 Township 48N
Range 1W B.M. _____
(2) Amount of power to be generated: 25 hp under 30 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: Power production for one household.

94 7044

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

R.D.
PLACE OF
RES.

34

R-1W

T-48N

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.

Edwin Charles Deaso
(Applicant)

52-044

Received by KK Date 12/17/73 Time 10:30 A
Preliminary check by KK Fee \$25.00 # 12297
Receipted by KK Date 12/17/73
Publication prepared by cp Date 12-21-73
Published in Coeur d'Alene Press
Publication dates 12-27-73 & 1-3-74
Publication approved cd Date 1-21-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by du 30F

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

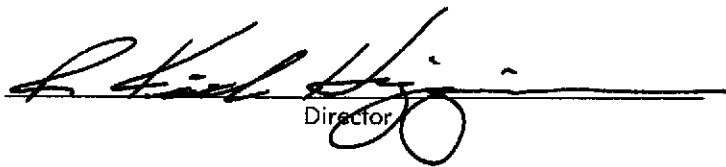
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 94-7044, and said application is hereby APPROVED.

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 January 1, 1979.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 25 day of January 19 74.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FE</u>	<u>12/12/73</u>	Application No. <u>94-7044</u>
(2)			☒ 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
(3)	<u>FE</u>	<u>12/12/73</u>	In form to receipt
			Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S. F.S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>FE</u>	<u>12/17/73</u>	In form for advertising
(6)			Located within Water District No. _____
(7)			Critical groundwater area: yes _____ no _____
(8)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>CP</u>	<u>1/21</u>	Affidavit of Publication received (date) <u>JANUARY 17, 1974</u>
(11)	<u>CP</u>	<u>12/21</u>	Final date for protests <u>JANUARY 14, 1974</u> Protests received: yes _____ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>FE</u>	<u>1/22/74</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>FE</u>	<u>1/22/74</u>	Action recommended: ☒ Approve Priority <u>12/17/73</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Shoshone</u>	By <u>[Signature]</u>	Date <u>1/22/74</u>

Individual Owner

AFFIDAVIT TO ESTABLISH RESIDENCE

I, Edwin Charles Deason of Cataldo, Idaho County of Kootenai
State of Idaho, being duly sworn, do hereby certify that I am a bona fide resident
of the State of Idaho.

/s/ Edwin Charles Deason

Subscribed and sworn to before me this 17th day of December, 19 73

/s/ Coda M. Roberts
Notary Public
Residence Coeur d'Alene, Idaho
My Commission expires Sept. 11, 1976

NOTE: This permit is issued subject to the provisions of S. L. 1937, Ch. 142;
am. 1957, Ch. 66. (Idaho Code, Sections 42-205 to 42-210).

Corporation or Association

AFFIDAVIT TO ESTABLISH RESIDENCE
OR QUALIFICATION TO DO BUSINESS UNDER THE LAWS OF
IDAHO...

I, _____ of _____ County of _____
State of Idaho, being first duly sworn, depose and say:

That I am the designated statutory agent of the _____,
that as such I am in charge of the registered office of the said _____,
as provided by Section 30-143, Idaho Code, at _____,
Idaho, wherein are kept the records provided by Section 30-144, Idaho Code, and
that _____ is a legal _____ qualified to do business
in the State of Idaho under the laws of the State of Idaho.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 19 _____

/s/ _____
Notary Public
Residence _____
My commission expires _____

NOTE: This permit is issued subject to the provisions of S. L. 1937, Ch. 142;
am. 1947, Ch. 66, (Idaho Code, Sections 42-205 to 42-210).

94-7044

UNCLASSIFIED

See Original

Original

Das Original

[illegible]

Other ☐
None ☒

Ray Roberts
John Gae
J. H. A. 1912

Date 5-24-83
 Date 9/1/83
 Date 9-17-84

MAR 5 1980

1. Name of permit holder Edward Charles Neeson DOB 12/11/1941
Post office address Box 74, Cataldo Id Phone NONE
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ unwashed spring
(name spring, stream, etc.)
Tributary to DECEIVER

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for domestic
AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
(mo.-day) inclusive (mo.-day)

Amount 0.96 c.f.s. for Douglas
AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 1.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 48N N/S, Range 14W E/W, B.M., Section 34, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$, Kootenai
County _____

Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____1/4_____1/4,_____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions:

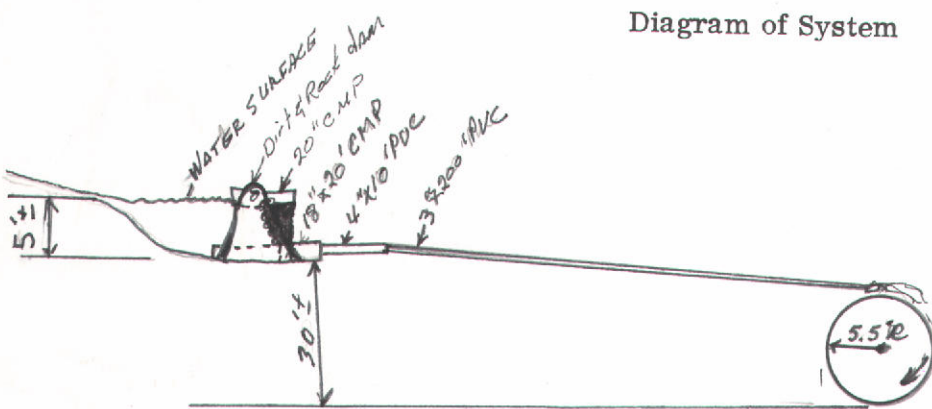
Description of diverting works: collection box pipeline

Measuring device required: yes ☒ no ☐

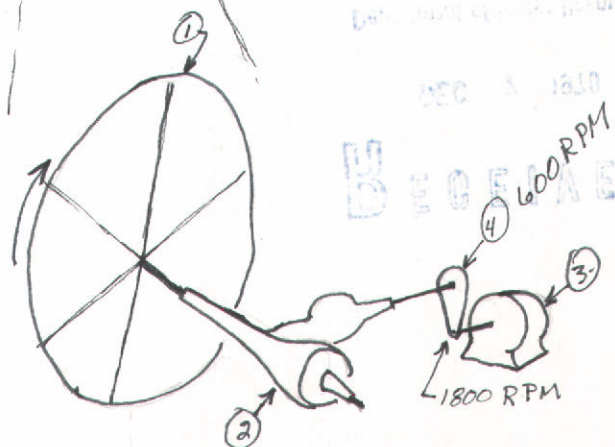
6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Diagram of System



- 1.) 5.5' R. Water Wheel
- 2.) McCormick Horse drawn Haymower Gear box
- 3.) KATOLIGHT Generator - type # 140 - Ser. # 1227
Mod # 30A - 2000 watt - 120V - 110 @ 1800 RPM - Assy NOR # 47
60 cycle
- 4.) Toothed gears & drive chain



Domestic consists of 1" PVC laying on top of ground from P.D. 400' above dam pipe laying in stream. To home.

DATE OF EXAM 2-28-80

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.04 c.f.s. V= 1.2 AF/Ann. from 1.1 to 12.31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Power 0.21 c.f.s. Non consumptive 1.1 12.31

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 2" H₂O = 0.21 cfs ✓ Method of measurement Annubar ML
Total Q recommended 0.25 cfs 10. # Eagle Eye
Meter No. 091467 Type 65804 Condition Good
Total V recommended 1.2 Re Exam

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT/CALCULATION:

2" = 0.21 cfs Power Non consumptive
one line @ 0.04 cfs & 1.2 AF/Ann Re Exam
0.25 cfs total OK

SYSTEM DESCRIPTION:

6' earthen dam with 20" CMP over flow @ 5', 18" CMP (30' long) to 10' of 4" PVC
to 200' of 3" PVC to water wheel for Power
3" PVC in stream 400' above dam, 600' ± to home

REMARKS:

Must allow water to run continuously to domestic during winter to avoid
Freezing at 15°F Must shut down Power
Applicant accompanied on exam

Examiner's Signature King Date 2-28-80

Checked by Bob Haynes Date 2-29-80

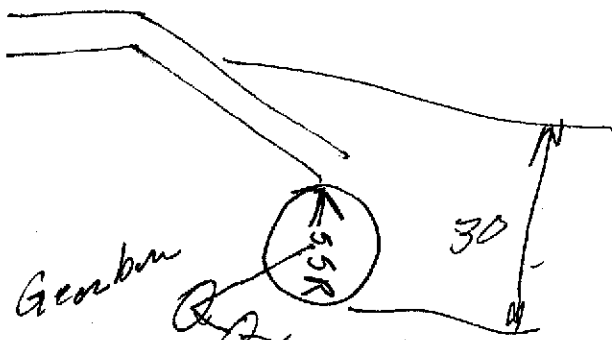
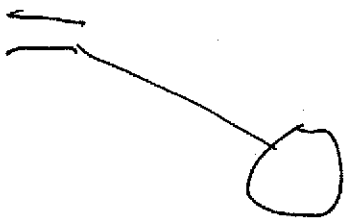
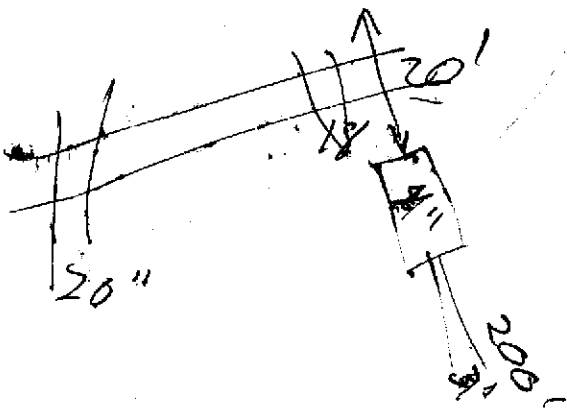
Approved by Reap John 3-4-83 Date 2-15-83

MICROFILMED

Cole homestead
Post

Boise Peak bridge

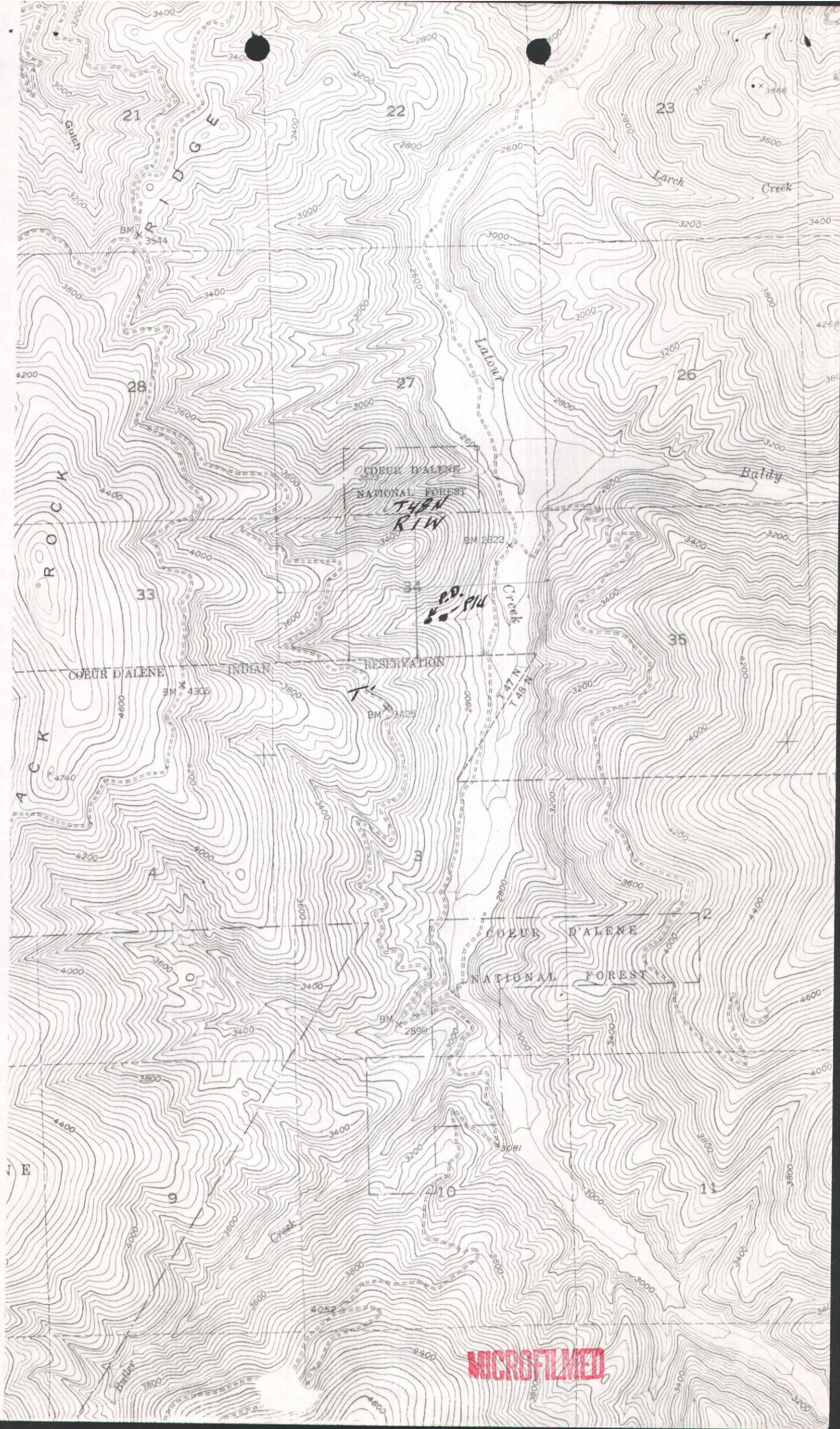
St Mary 36 mi
2nd Drive
sign Private
Drive.



Genbu
Q 600 RPM
Q 1800 RPM
McCorm
Horse drawn mowing machine
15 hp + Gears

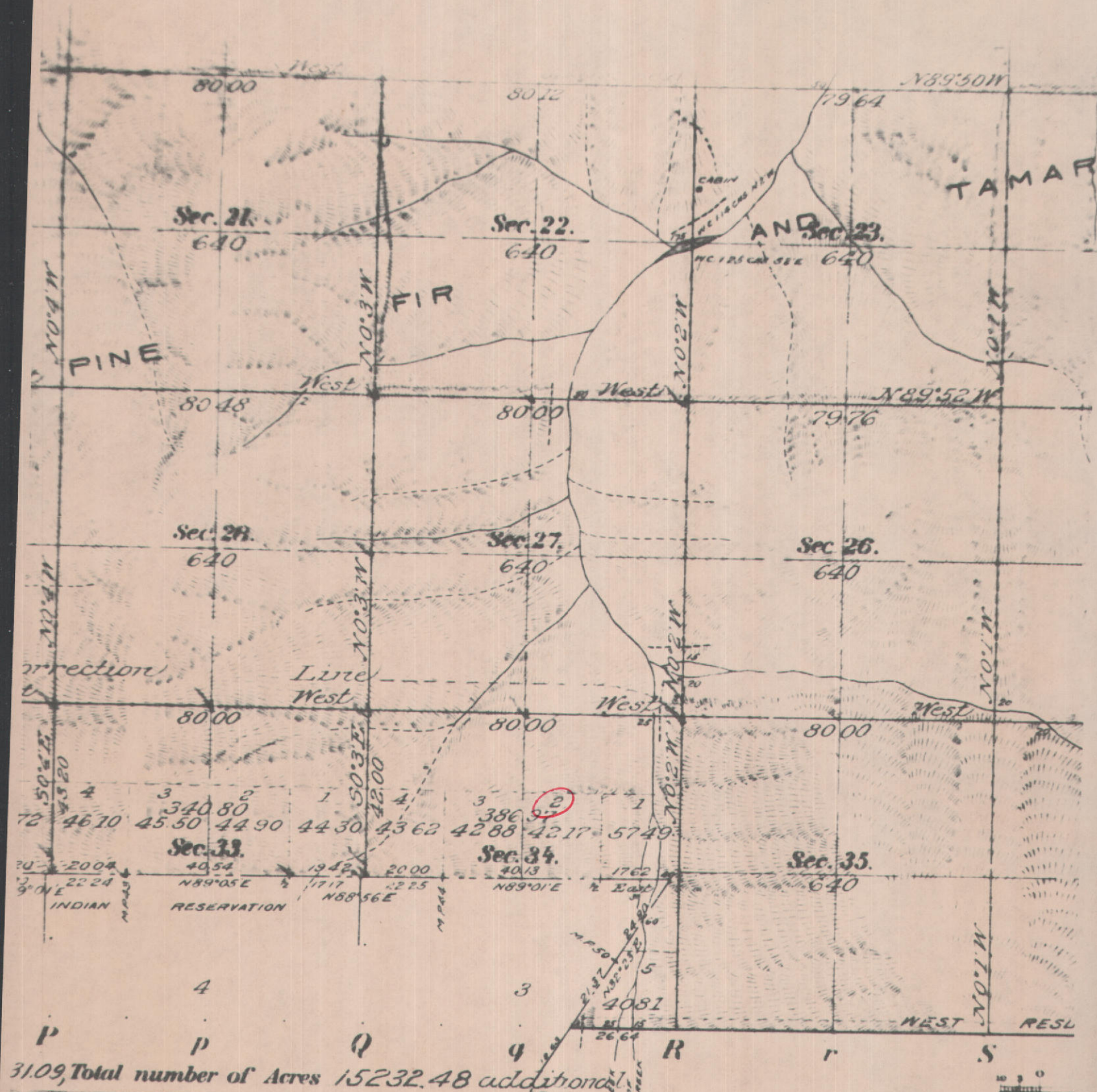
KATO LIGHT Type #140 Ser #1227 mod 30A 2000 WATT
ASSY NO R1597 12 VOLT 110 @ 1800 RPM w/blade

MICROFILMED



MICROFILMED

48N-1W



31.09, Total number of Acres 15232.48 additional

Count of Surveys Ch ^s	When Surveyed	Mean Declination
43 97	Sept. 13-14, 1905	23'E
12 48	Aug 26 Sept 13, "	
36 90	Sept 13, 1905	
02 23	Aug 28-30, "	
26 64	Aug 8, "	
22 21	Aug 8-Sept 13, "	

The above. Map of Town
Boise. Meridian
notes of the survey thereof.

Surveyor General's
Boise City, Ida
April 4, 1910.

MICROFILMED

$$\frac{60}{12} = 5(55) \cdot \frac{275}{448} = 0.61$$

$$\begin{array}{r} 55 \\ \cdot 12 \cdot 02 \\ \cdot 13 \cdot 09 \\ \cdot 12 \cdot 08 \end{array}$$

$$\frac{12}{55} =$$

$$\begin{array}{r} 0.61 \\ 0.04 \\ \hline 0.65 \end{array}$$

$$\frac{12}{55} = \frac{60}{x} =$$

IDENT. NO. 94-7044

WATER RIGHT
DATA ENTRY LOG

[illegible]

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 17

PROOF OF APPLICATION

NOV 6 1978

Department of Water Resources

OF WATER TO BENEFICIAL USE

Department of Water Resources
Northern District Office

1. a) Name of permit holder Edwin Charles Deason

b) Post office address Bx 74 Cataldo, Id

2. Permit number 94-7044

3. Date of priority that you are prepared to establish 12-17-73

4. a) Source from which water was appropriated Unnamed spring

b) Location of the point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34

Township 48 N, Range 1 W Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.04 for Domestic purposes from 1-1 to 12-31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount 0.96 for Power purposes from 1/1 to 12/31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 1.00 cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

None

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

Collection box with pipe line to place of use

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

Measuring device not installed - not awaiting
Specification of access port from IDWR

Exam typed 12-5-78 By af

c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Domestic & Power SWNE, Sec 34, T 48 NR 1W

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

14 Nov 78
(Date)

X E. C. Deason
(Signature)

State of IDAHO
County of Shoshone

On this 14th day of November, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ernie L. Beane
Notary Public
Residing at Cataldo

My commission expires 1
Lifetime Commission

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edwin Charles &/or Bobbi Deason,

Box 74, Cataldo, Idaho

~~has~~ have ~~been~~ on December 17, 1973 submitted Application No. 94-7044

for a permit to appropriate 1.00 cubic feet per second ~~xxxxx feet xxxxxxxx~~
of water from an Unnamed Spring, tributary of Latour Creek

by means of collection box and pipeline

within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 48N, R. 1W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31

for domestic (0.04 cfs) and power production purposes (0.96 cfs) for one house-
hold

within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 48N, R. 1W, 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before January 14, 1974.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho

on Dec. 27, 1973 and Jan. 3, 1974

94 7044