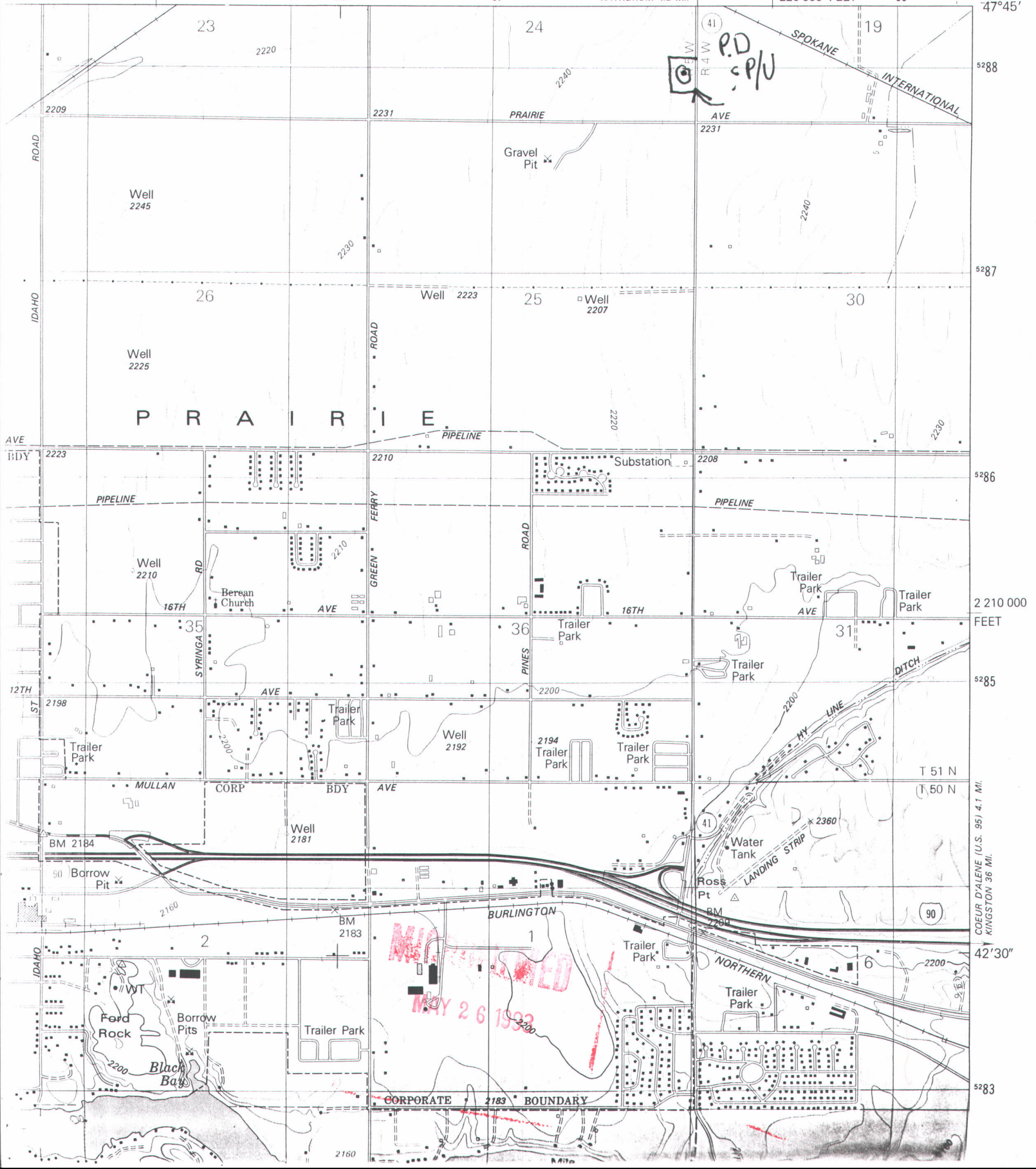
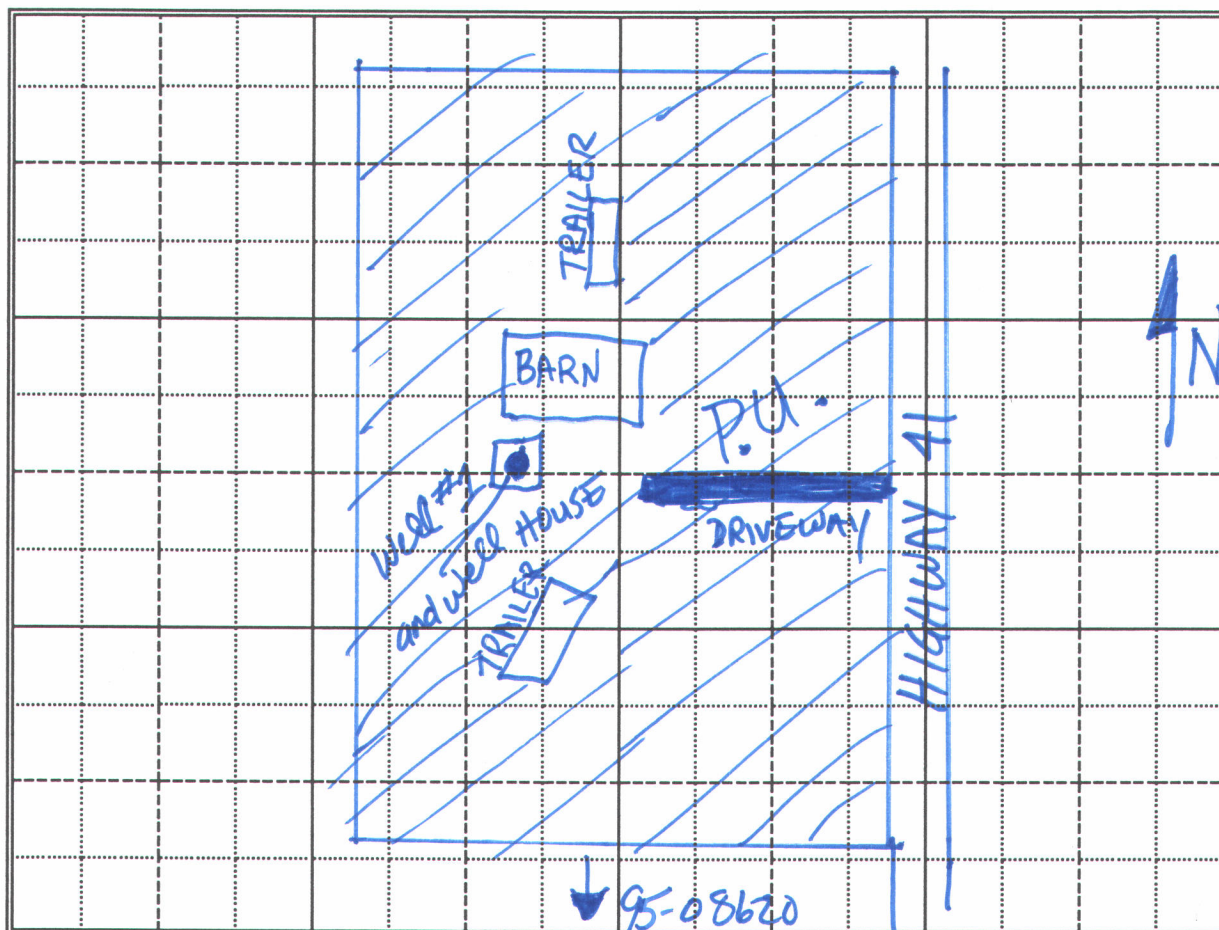


2679 IV SE
(HAYDEN)

 $47^{\circ}45'$ 

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS.

(NORTHLAND NURSERY)

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well #1	Submersible	10.0	2312614	Gould	2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

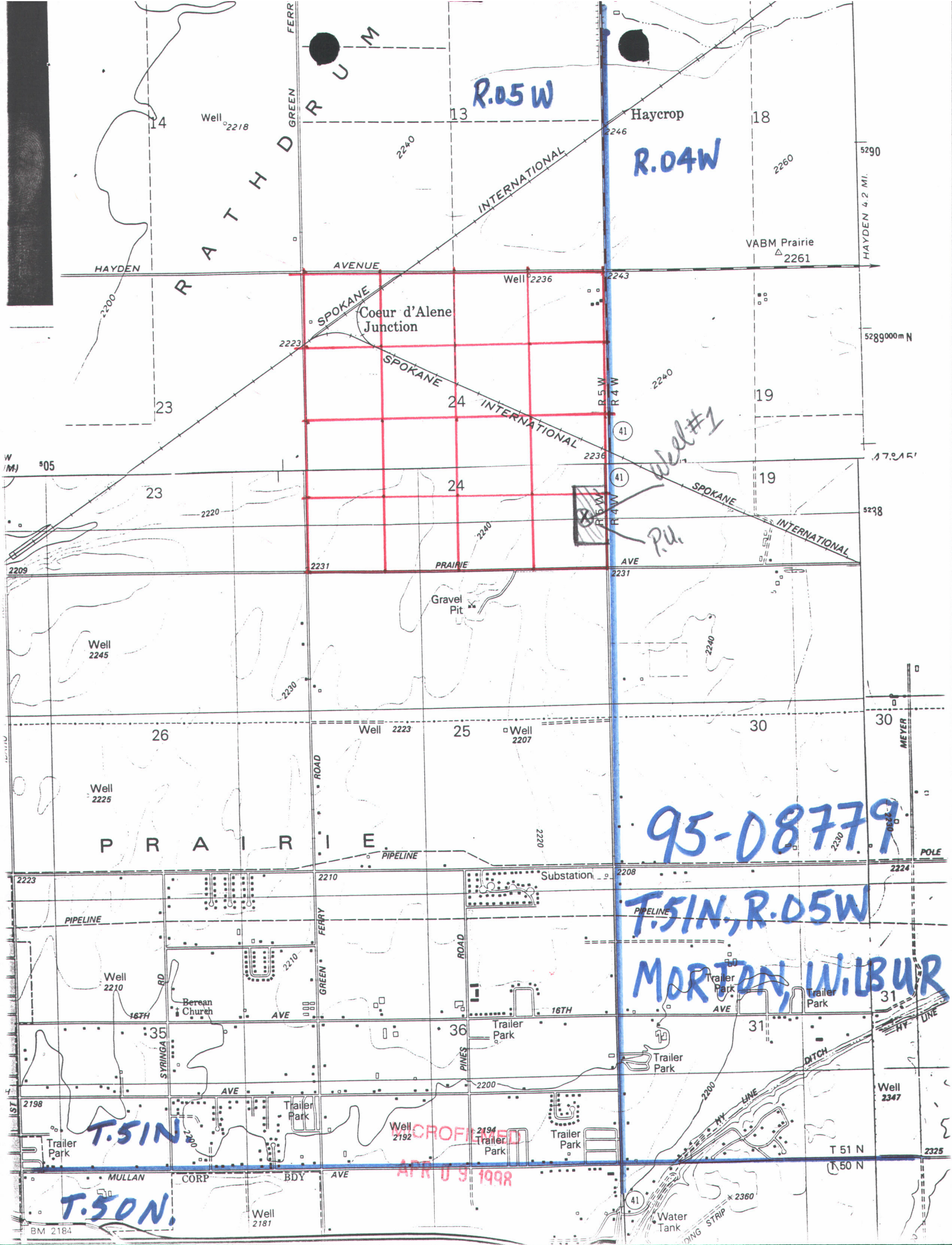
1.

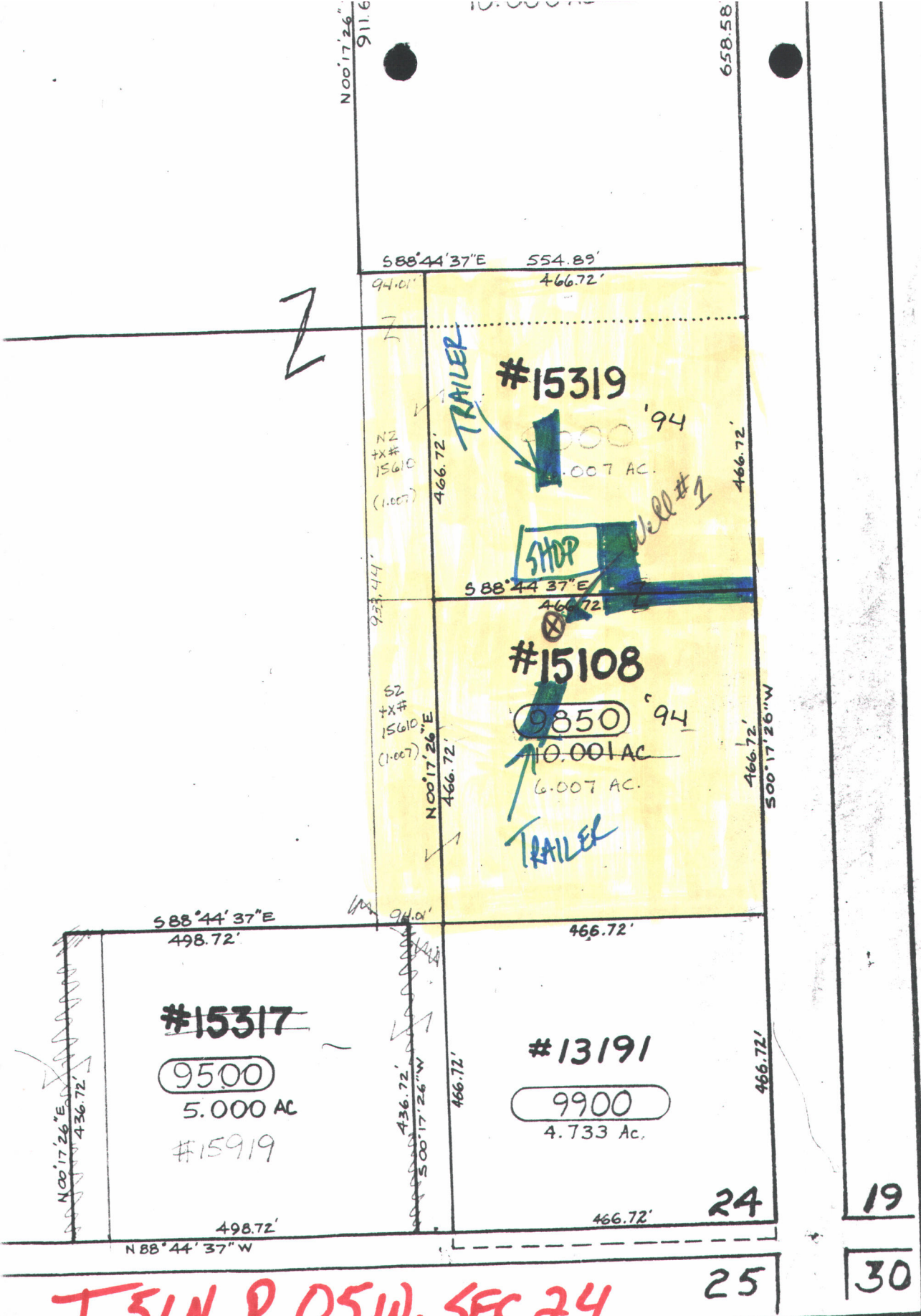
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PEEK POLYSONIC METER						

2. Measurements:

MICROFILMED

APR 09 1998





T.51N., R.05W., SEC 24

MORTON, WILBUR

MICROFILMED
APR 09 1998

95-08779



13
24

13 18
24 19
13 19

13 24

25

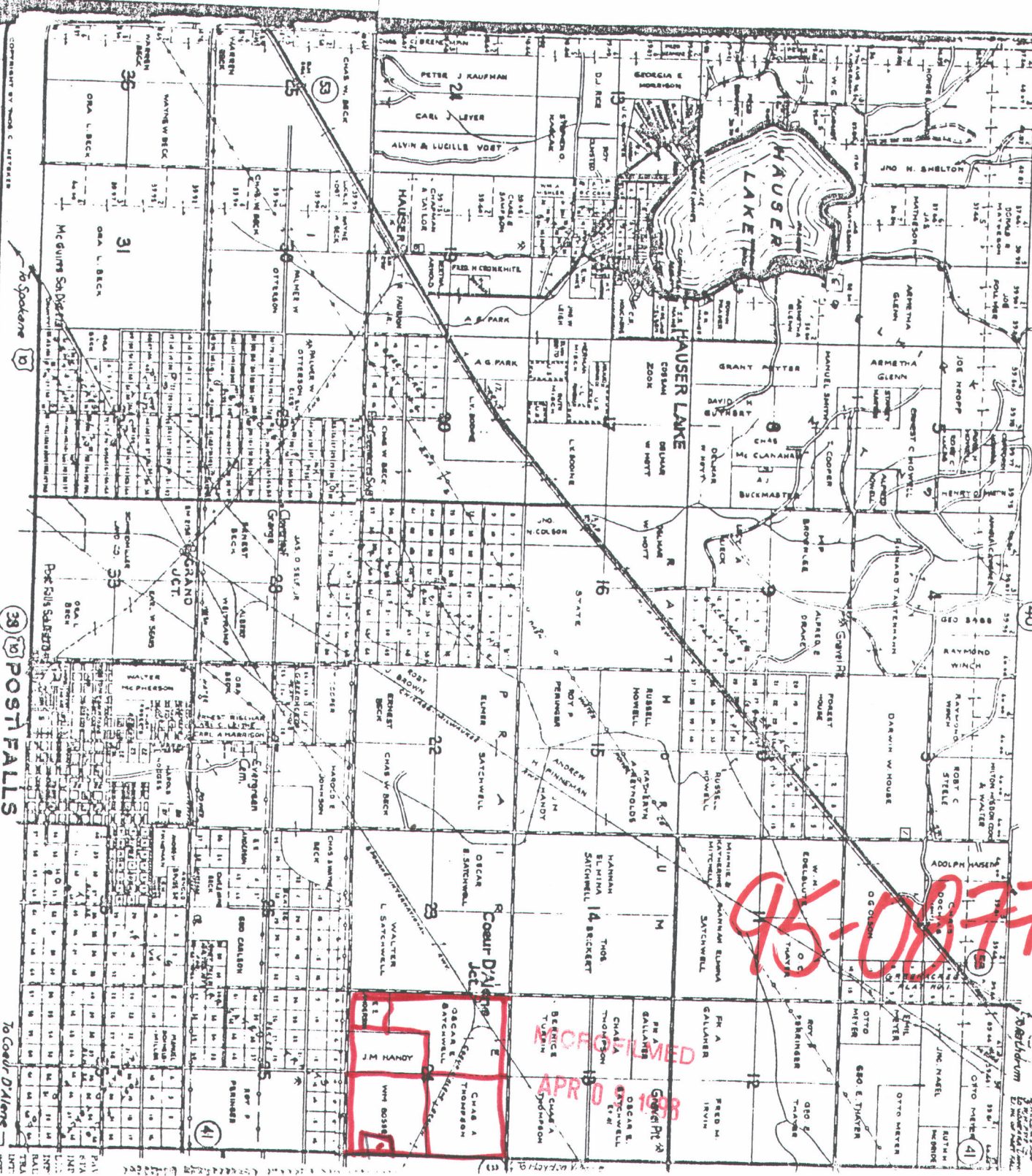
24
25
11

MICROFILMED
APR 09 1998

3/6 u

FROM SALE BY
MEISKER MAPS
111 SOUTH 10TH ST., TACOMA WASHINGTON
1020 THIRD AVE., SEATTLE WASHINGTON
R. 6 W. R. 5 W.

TOWNSHIP 51 N., RANGE 56 W. B. M.
KOOTENAI COUNTY, IDAHO



COPYRIGHT BY MEISKER MAPS

To Spokane 10

39 10 POST FALLS

To Coeur D'Alene

STATE OF IDAHO
DEPARTMENT OF WATER
AND REPORT SUPPLY
PHOTOGRAPH

*Well Head
Distribution Lines*

*Place of use
Inside Well House*



95-08779



STATE OF IDAHO
DEPT. OF WATER RESOURCES
REPORT SUPPLY
TOGRAPH

2 Drones
THERMISTERS



Plate of use
MICRO-FILMED
Thermistors



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08779

Priority: September 23, 1992

Maximum Diversion Rate:

0.17 CFS

Maximum Diversion Volume:

31.2 AF

This is to certify, that WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 23, 1992; and has submitted Proof of Beneficial Use on December 4, 1996. An examination indicates that the works have a diversion capacity of 0.170 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.17 CFS	30.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.17 CFS	31.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 24, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
51N	05W	24	NESE 1	SESE 9		10

Total number of acres irrigated: 10

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

APR 09 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08779

CONDITIONS OF APPROVAL AND REMARKS

6. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

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 31st
day of MARCH, 1998


Acting for KARL J. DREHER, Director



MICROFILMED

APR 09 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-08779

Date of Priority: September 23, 1992 Maximum Diversion Rate: 0.17 CFS
Maximum Diversion Volume: 31.2 AF

Comes now WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-08779, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.17 CFS	30.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.17 CFS	31.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 24, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
51N	05W	24	NESE 1	SESE 9		10

Total number of acres irrigated: 10

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Post Falls Id, this 24 day of March, 1998.

MICROFILMED
APR 03 1998

Wilbur Morton
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-08779

FOR DEPARTMENT USE ONLY

Preliminary check by SK Fee = 5000 Received by LB # CA11782 Date 3/30/98

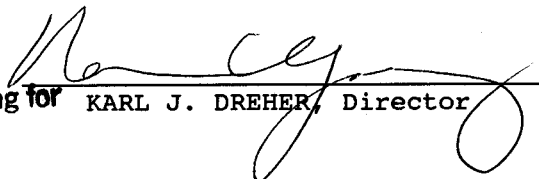
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 95-08779 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 31st day of MARCH, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 09 1998

RECEIVED

DEC 04 1996

NORTHWEST REGION
IDWR

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 100.00

Receipt No. N 10856

Receipt By: RH

Date Received: 12/4/96

JD1

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 95-8779 Telephone No. 773-6074

2. Name(s) of Permit Holder(s): Wilbur Morton

3. Mailing Address: N 2705 HWY 41 Post Falls ID 83854

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. 1 / yr. 92

a. Well Driller: H2O Drilling Permit Number: 95-92-N-62

b. **OPTIONAL:**
Pump Horsepower: 10 hp Pressure (psi): 60 Dynamic pumping level (ft):

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 2 Stockwater (No. and type of stock):

Irrigation (No. of acres): 10 Other:

6. Total rate of diversion and/or volume for which proof is submitted: .26 cfs OR acre feet

7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No

Has the measuring device been installed? Yes or No

Flow Measurement Port: Is a flow measurement port required? Yes or No

Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Same Telephone Number:

Address:

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Wilbur D Morton Date: 12-4-96
(include your title, if on behalf of company of organization) MICROFILMED

JAN 24 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08779

Proposed Priority: September 23, 1992 Maximum Diversion Rate: 0.26 CFS
This is to certify, that **WILBUR MORTON**
N 2705 HWY 41
POST FALLS ID 83854
has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.20 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
Totals		0.26 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 24, Township 51N, Range 05W
KOOTENAI County

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>				
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
51N 05W 24	SESE 10			10	
Total number of acres irrigated:				10	

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 2, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. Domestic use is for 2 homes.

APPROVED
MAY 26 1993

State of Idaho
Department of Water Resources

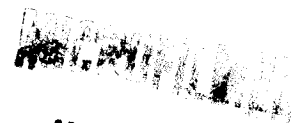
Permit To Appropriate Water

NO. 95-08779

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

14th day of December, 1997

J. Keith Higginson
for R. Keith Higginson, Director



MAY 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 95-08779

95-92-N-0062-000

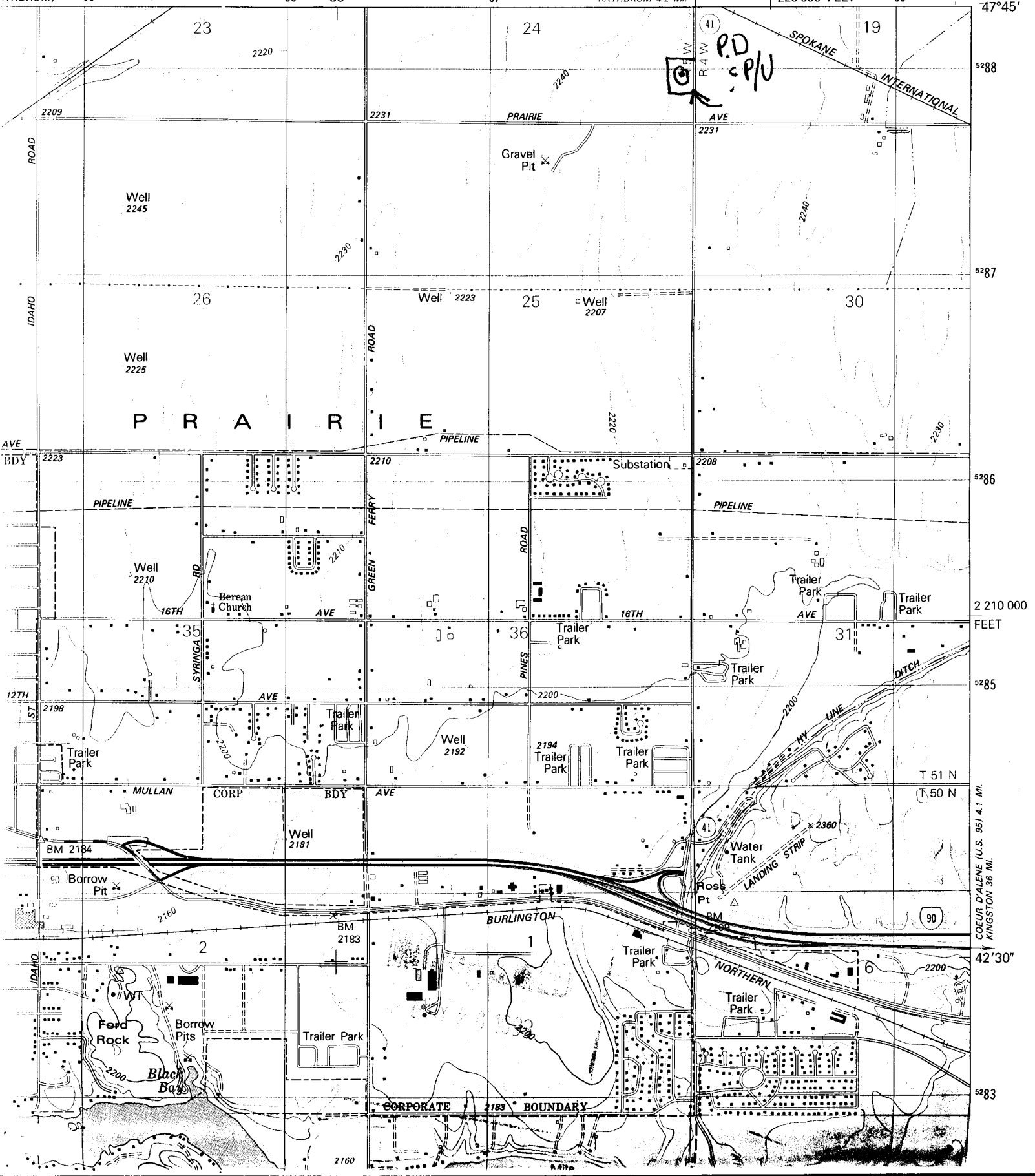
To appropriate the public waters of the State of Idaho

1. Name of applicant Wilbur Morton Phone 773.3546
Post office address N 2705 Highway 41 Post Falls ID
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____
Sec. 24 Township 51 Range 5W B.M. Kootenai County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .2 for Irrigation purposes from 3-15 to 4-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .06 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .26 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and pump
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8" inches; proposed depth of well is 300 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

Well drilled June or July 1992

2679 IV SE
(HAYDEN)

47°45'



[illegible]

Wilbur D. Morton
(Applicant)

MAY 26 1992

WATER RIGHTS

e. Other:

permit.

d. The water right acquired under this permit if 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 permit 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 permit.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

_____, 19____.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	9/23/92	Date	3:30	Preliminary check by	105
Fee \$	45.00	Received by	RMH	#	N 5900
Publication prepared by	_____ 10/7/92	Date	10/7/92	Published in	15/152400/92
Publication approved	_____ 12/25/92	Date	12/25/92		

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

Keri Alexander

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal notice

of which the annexed is a printed copy, was published in the regular *THURS.* issue of said newspaper for *2* consecutive *WEEKS* commencing on the *15th* day of *October*, 19 *92*, and ending on the *22nd* day of *October*, 19 *92*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Keri Alexander

Subscribed and sworn to before me this

22nd day of *October*

RECEIVED

OCT 26 1992

NORTHERN REGION
IDWR

Adelita Manley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

5-3-93

MAY 26 1993

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-08779

MORTON, WILBUR
N 2705 HWY 41
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: SESE Sec 24 T 51N R 05W
in KOOTENAI County.

Use: IRRIGATION (.200 CFS)
DOMESTIC (.060 CFS)
Total Diversion: (.260 CFS)

Dated Filed: 9/23/1992
In: KOOTENAI County
T51N R05W S24 SESW
10.0 ACRES TOTAL
95-08781

YOUNG, GENE
PO BOX 576
RATHDRUM, ID 83858
Source: SPRING
Tributary: SINKS
Diversion Pt: SWNESE Sec 26 T 52N R 05W in KOOTENAI County.
Use: DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)

Dated Filed: 10/1/1992
In: KOOTENAI County
T52N R04W S26 SWSE
95-08782

PARSONS, CAL
PO BOX 16
AVALON, CA 90704
Source: RATHDRUM CREEK
Tributary: SINKS
Diversion Pt: SESWNW Sec 17 T 52N R 04W in KOOTENAI County.
Use: IRRIGATION (.120 CFS)
AESTHETIC (.080 CFS)
Total Diversion: (.200 CFS)

Dated Filed: 9/28/1992
In: KOOTENAI County
T52N R04W S17 SWNW
4.0 ACRES TOTAL
95-08783

PEARCE, JOHN W
315 W 37TH ST
SPOKANE, WA 99203
Source: COEUR D ALENE LAKE
Tributary: SPOKANE RIVER
Diversion Pt: LOT 5 (NENE) Sec 3 T 48N R 04W in KOOTENAI County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Dated Filed: 10/5/1992
In: KOOTENAI County
T48N R04W S03 Lot 5 (NENE)
95-08784

MANSFIELD, BETTY
PO BOX 503
POST FALLS, ID 83854
Source: GROUNDWATER
Diversion Pt: SWSW Sec 31 T 51N R 04W
in KOOTENAI County.
Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.140 CFS)

Dated Filed: 10/6/1992
In: KOOTENAI County
T51N R04W S31 SWSW
10.0 ACRES TOTAL
96-08721

BARRETT, ANGELA SUE
HC1 BOX 17A
PO BOX 399
SPIRIT LAKE, ID 83869
Source: UNNAMED STREAM
Tributary: SINKS
Diversion Pt: NENE Sec 12 T 53N R 05W
in KOOTENAI County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Dated Filed: 10/5/1992
In: KOOTENAI County
T53N R05W S12 NENE

For additional information concerning the property location, call the Northern Regional Office at 765-4639.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before NOVEMBER 2, 1992.

R. KEITH HIGGINSON, Director

Legal 267
Oct. 15, 22, 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08779

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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APR 08 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

APR 9 1988

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

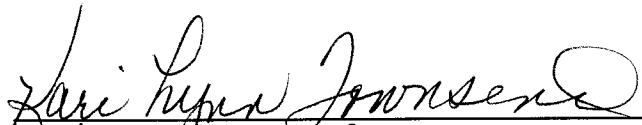
APR 30 8 1988

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 95-08779

WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854


Kari Lynn Townsend
Secretary

MIOD/MLMED

APR 08 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08779

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

APR 9 9 1998

MEMORANDUM

TO: File 95-08779

FROM: Sharla

DATE: March 13, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 95-08779 are as follows:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.17 cfs	30.0 afa
Domestic	1/1 - 12/31	0.04 cfs	1.2 afa
	TOTALS	0.17 cfs	31.2 afa

The standard volume for irrigation in this area is 3.0 af/acre; the irrigation volume has been calculated accordingly.

Examiner: Herman Spangle
Exam Date: September 30, 1997

MICROFILMED

APR 23 1998

PERMIT NO. 95-08779 DATE 3/10/98 REVIEWER: SHARLA

1st Amend Letter P41 P38
2nd Amend Letter P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

95-08779

A. GENERAL INFORMATION

Permit No.

1. Owner: Wilbur MORTON

Phone No. (208)-773-6074

Current Address: N. 2705 HWY 41 POST FALLS, ID. 83854

2. Accompanied by: Wilbur MORTON & David Morris

EXAM DATE: 9-30-97

Address: SAME AS ABOVE

Phone No. (208)-773-0888

Relationship to Permit Holder: Permit Holder's

3. Source: Groundwater

tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
W&H #1	N/A	NE	SE	SE	2A	51N	05W	Kootenai	USGS 7.5' QUAD; Site Visit, Assessors

2. Place(s) of Use:

Indicate Method of Determination

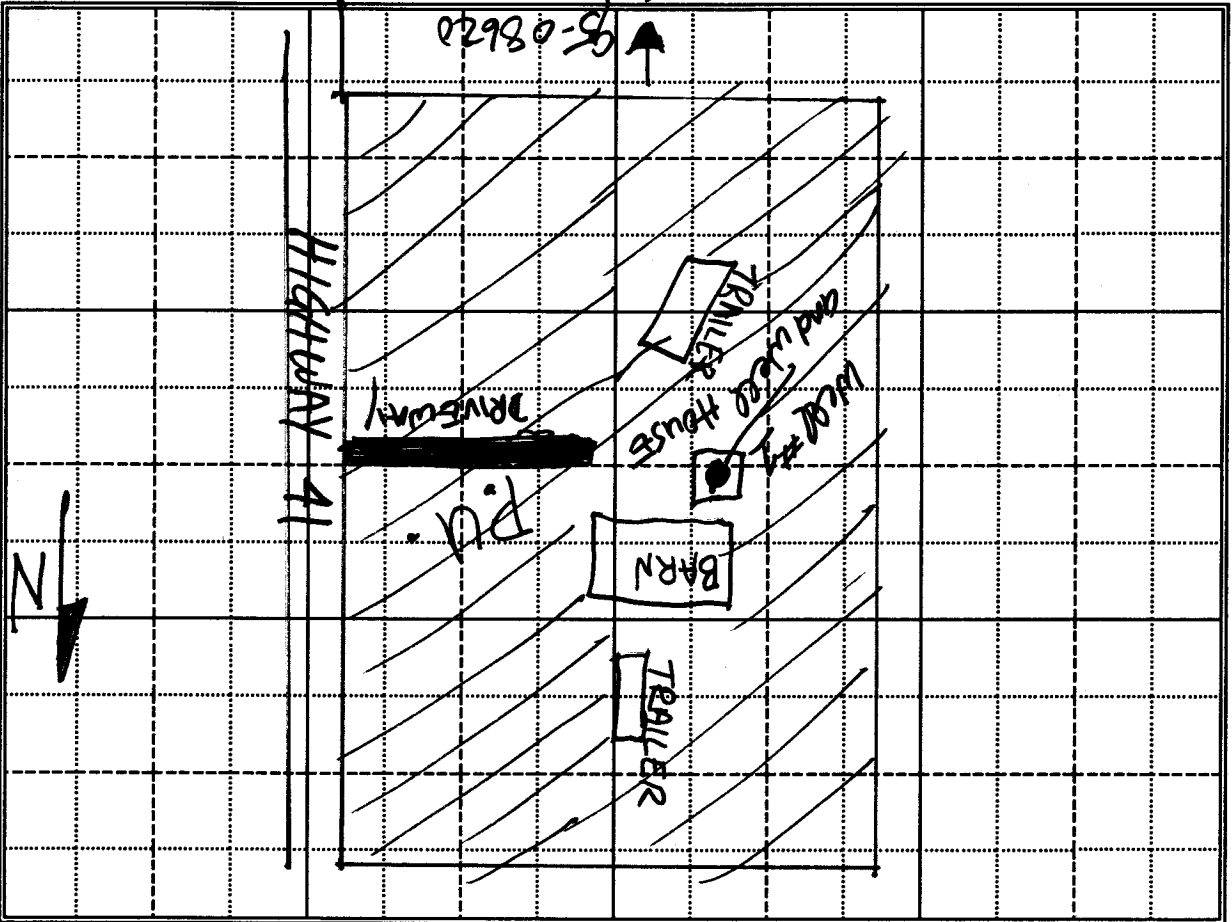
Assessors

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	05W	24													1.0			9	10.0
51N	05W	24															D	DOMESTIC	

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APR 09 1998

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" = 100'

X Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 X Aerial Photo Attached (required for irrigation of 10+ acres)
 X Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well #1	Submersible	100	2312614	Gould	2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PEEK POLYSONIC METER						

2. Measurements:

APR 05 1998

RECEIVED

E. NARRATIVE/REMARKS/COMMENTS

System Consist of a 10 HP Gould pump in a 298'
8" well. Discharge lines are 2" to the irrigated land
and 2" to each of the Domestic Trailers. The lines
to the Trailers are reduced to 1" before they
serve the Home.

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

APR 03 1998

F. FLOW CALCULATIONS

Measured Method:

* Additional Computation Sheets Attached

* See Polysonic Print-out

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (10.0)(3.5) = 35.0$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.17)(245)(1.9835) = 82.6$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 35.0$$

2. Volume Calculations for Other Uses:

2 Domestic Homes @ .6 / Home = 1.2 Acre Feet

H. RECOMMENDATIONS

1. Recommended Amounts

2. Recommended Amendments

I. AUTHENTICATION

Field Examiner's Name

William D. Spangle
Date 9-30-97

Reviewer

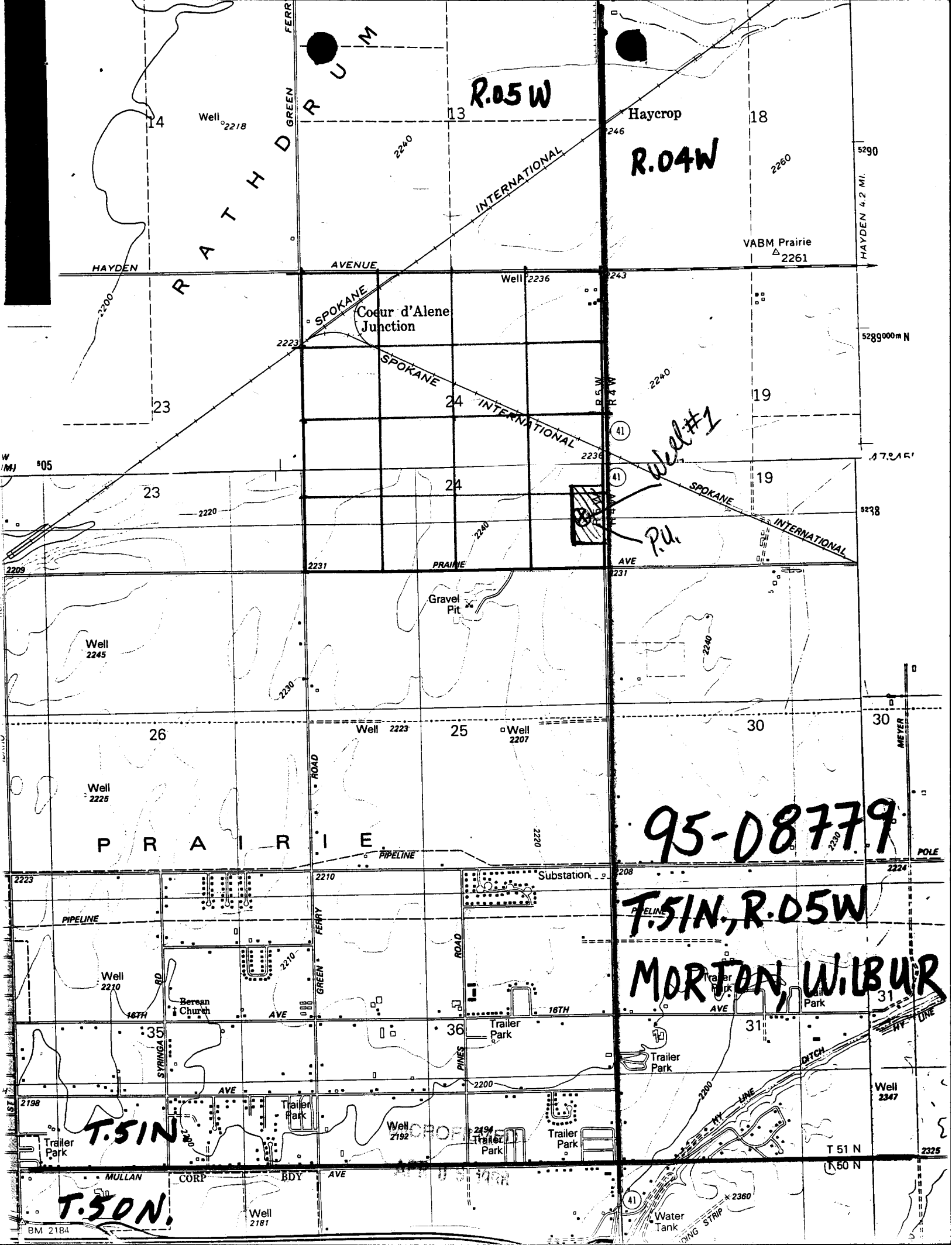
Date

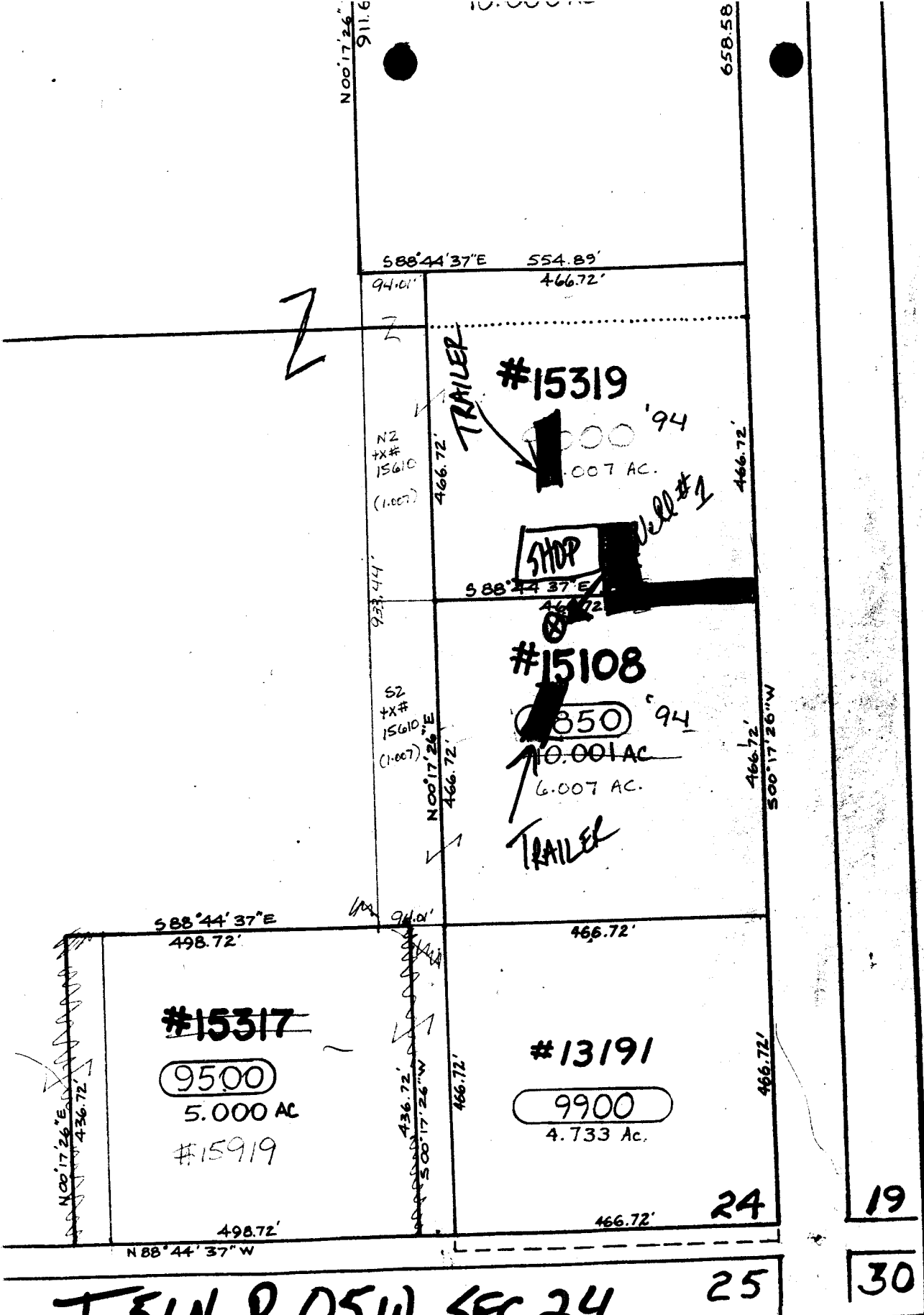
SEAL

☒ Change P.U. as reflected above
☐ Add P.D. as reflected above
☐ Add P.U. as reflected above
☐ Other
☐ None

Beneficial Use	From	To	Period of Use	Rate of Diversion	Annual Volume
DOMESTIC	3-15	11-15	10-31	.17	35.0
IRRIGATION	1-01			.04	1.2
Totals:				.17	36.2

MICROFILMED
APR 8 5 1998





T.51N., R.05W., SEC 24

MORTON, WILBUR

MICROFILMED
APR 09 1998

95-08779



APR 0 9 1967

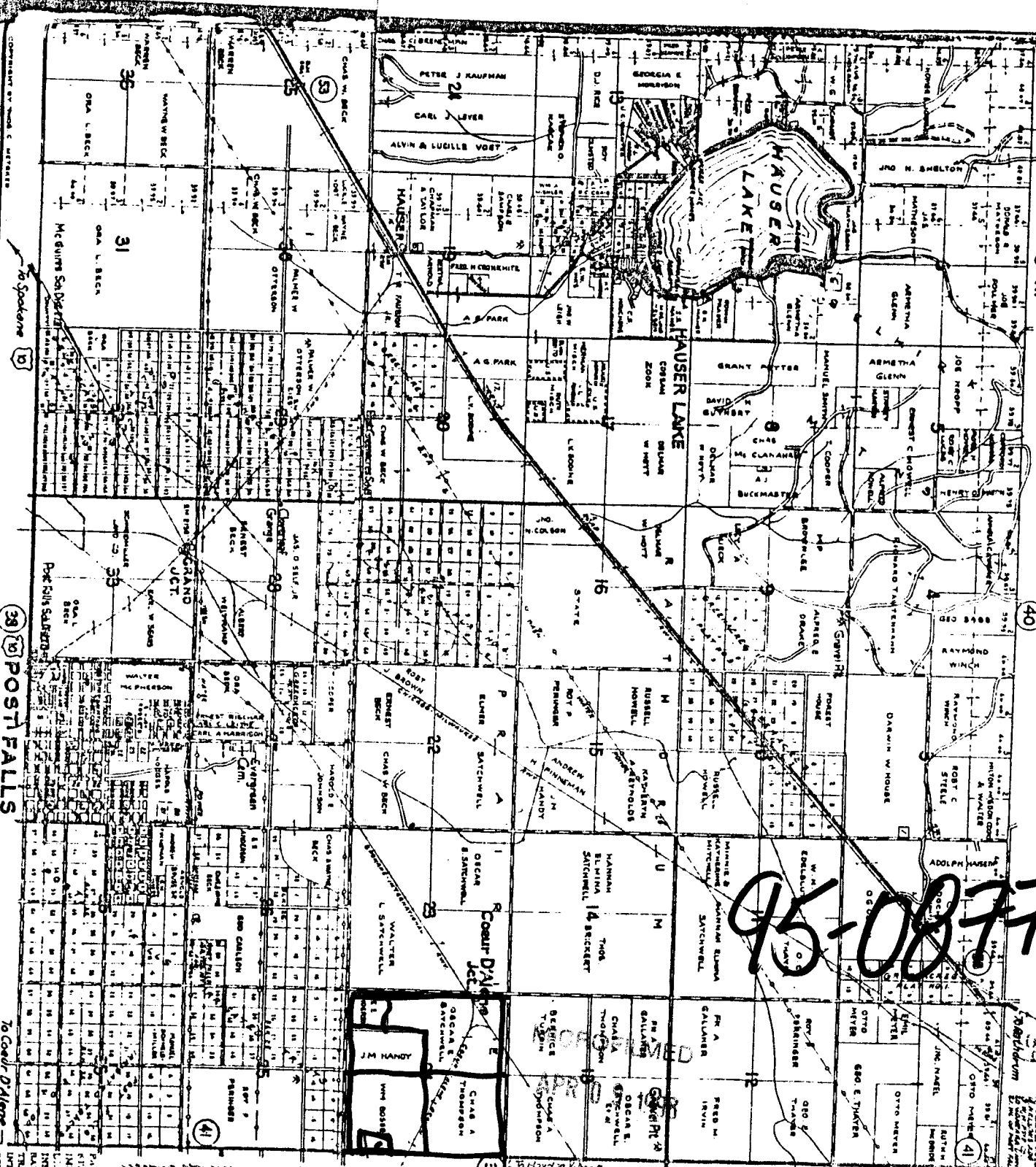
APR 0 9 1967

3/6

FROM TABLE BY
MEISKER MAPS
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON
R. 6 W. R. 5 W.

TOWNSHIP 51 N., RANGE 56 E., B. M.
KOOTENAI COUNTY, IDAHO

95-087



COPYRIGHT BY MEISKER MAPS

To Spokane 10

39 10 POST FALLS

To Coeur D'Alene

SETUP NO. 1
PIPE O.D. 2.388 IN
PIPE WALL THICKNESS 0.245 IN
PIPE I.D. 1.898 IN
PIPE MATERIAL PVC
PIPE SOUND VELOCITY 7388.451 F/S
LINER MATERIAL NONE
LINER SOUND VELOCITY 0.000 F/S
LINER THICKNESS 0.000 IN
INSIDE ABS ROUGHNESS 0.00000700
FLUID MATERIAL WATER
SOUND VELOCITY 4863.338 F/S
DENSITY 1.92 Cst

95-08779

95-08779

FLUID SOUND VELOCITY 4863.338 F/S
FLUID VISCOSITY 1.92 Cst
TRANSDUCER TYPE STANDARD
TRANSDUCER MOUNT 1/8
TRANSDUCER WELDING 1/8 IN

MIN. DLY = 1.94
ELECTRONIC STG = 74.56
DEL. TIME (US) = 1.94
DEL. TIME (ms) = 74.56
REP. COUNT = 1167
REPERATION = 1167
FLUID (F/S) = 4863.338
REYNOLDS NO = 13531
PROFILE FACTOR = 0.9331
FLOW = 0.171 CF
FLOW = 0.171 CF
FLOW = 0.171 CF

MICROFILMED
APR 09 1958

Sept. 30, 1997

David J. Morris
N. 4205 Hwy. 41
Post Falls, ID 83854

Attn: Herman Spangle

Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615

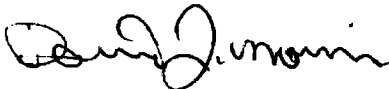
Dear Mr. Spangle,

Please find following the information that you requested:

10 HP 3 phase pump
Make: Gould
Model: 70J10632
Serial No.: 2312614

If you have any questions, please call me at 773-3546.

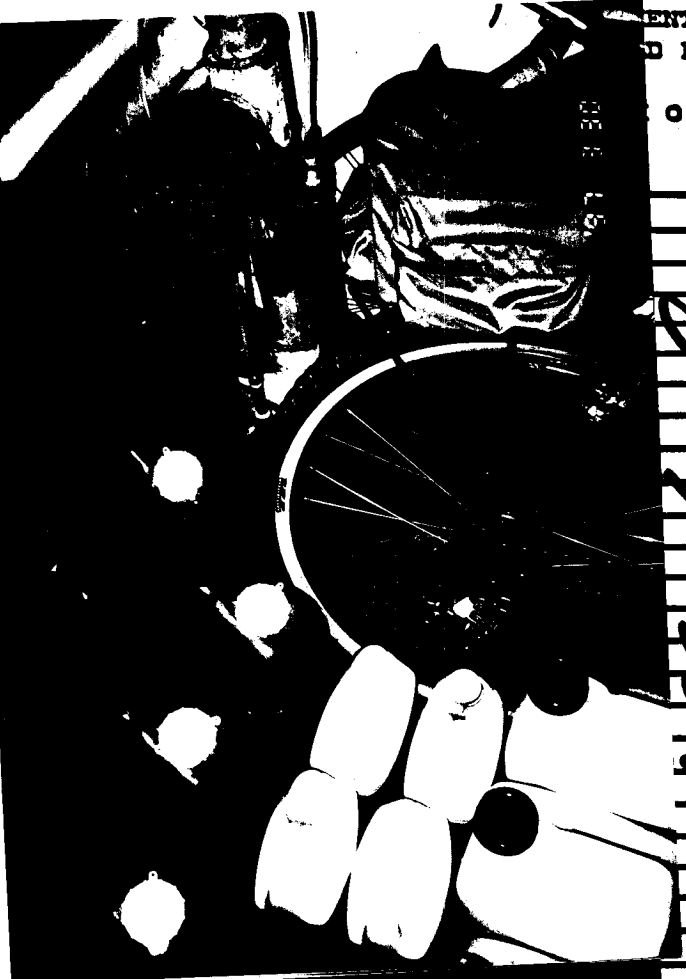
Sincerely,



David J. Morris

MICROFILMED
APR 09 1998

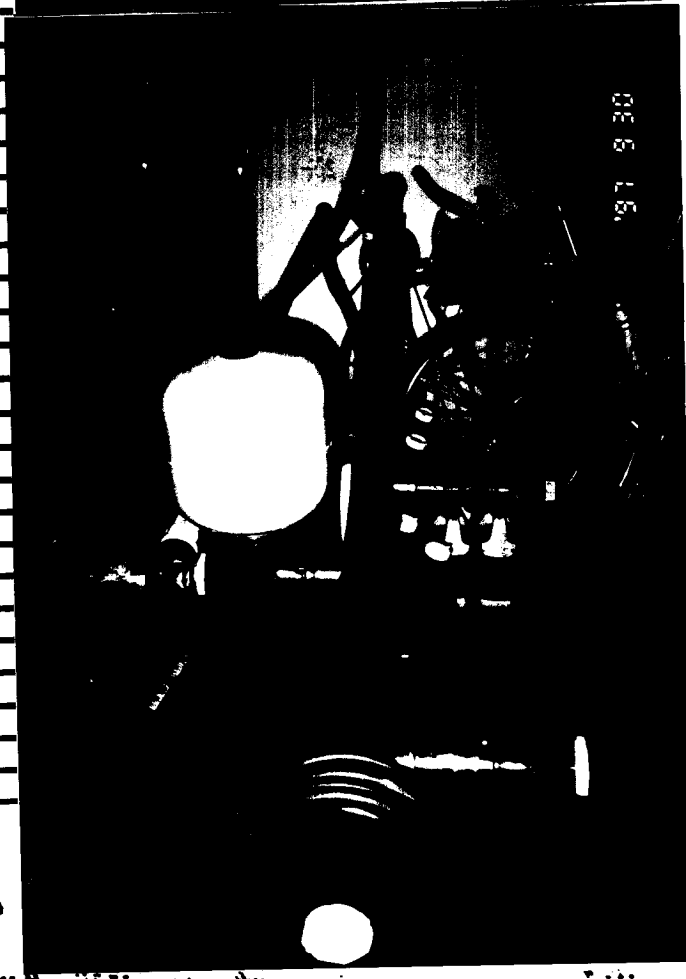
STATE OF IDAHO
DEPARTMENT OF WATER
AND REPORT SUPPLY
PHOTOGRAPH



*Well Head
Disturbance Series*



*Place of use
Inside Well House*



95-18779

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REPORT SUPPLY

TOGRAPH

2 Domestic
Trailers

place of use
the gate of access

194 9 30

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 95-08719 Reviewed by [Signature] Date 12-11-96

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom. irr.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

no Copy in the file?

200 Amount paid for permit

no Well log in the file?

Drilling Permit No. 95-92-N-0062

yes Correct?

LICENSE EXAMINATION FEE

yes Required?

100 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

? Installed?

no Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	<u> </u>
No. of days late	<u> </u>	<u> </u>
Priority Date	<u> </u>	<u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Advise of flow port requirement
Proof acceptable

DATA ENTRY

New Address X Proof Made 12-4-96



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 12, 1996

WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08779

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that one of the conditions of your water right permit requires that the permit holder install a flow measurement port to facilitate measurement of water (refer to condition # 4 of your permit). This condition must be complied with before the license exam, or you can request in writing, a waiver of the condition.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region

MICROFILMED

JAN 24 1997

October 31, 1996

WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08779

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1997.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

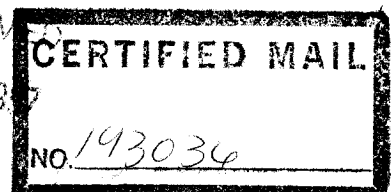
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILM

JAN 24 1997





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 15, 1992

WILBUR MORTON
N 2705 HWY 41
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08779

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

RECEIVED

MAY 26 1993

APPLICATION FOR PERMIT REVIEW

B.L.M.

Application #: 95-8779 Date: 12-10-92 Reviewer: Brenda Miller

SYSTEM COMPLETED:

No - 26A-P17
 Complete in 1 year - P16
 Yes
 Proof not submitted - P16
 Proof submitted - N/A

AREA OF CONCERN? NONE

GROUNDWATER:

GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
 - No measurement required <flow chart>
 LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

<Approved> w/permit - P99 #95-92-N-62
 Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts - WD No. _____
 Surface water - R04, R04-01H-P01(LT.2 w/pump)
 R04-01J-P08(GT.2), NMR <flow chart>
 Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 Swan Falls Flag - _____ (1, Blank or Other)
 Trust - 051-052-053-P74 (Consumptive Uses)
 Non Trust <1> - 048-049

RIVER BASINS:

(Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)
 Power - Use Power Review
 Mining - 06A, 010, or 09E-P10 & 054(req.)
 Storage - 18A-for multiple measuring devices(In WD),
 18B-P09(Size)
 Rec/Wildlf/Aes - 027(Non-Consumptive)
 Domestic - 021 (Boise River - upstream from L Peak)
 (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

Non land owner - 004

PROTESTED:

Agreement - 020

Beneficial Use Due Date - 01-02-1997

Other Conditions/Remarks: -

P/U incorrect on app - should
 be SESE also. WAS advertised
 incorrectly also.

No. a
4/87-06/92n

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 95-8779

***** INITIAL REVIEW *****

APPLICANT: MORTON BY: EB DATE: 9/24/92

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
(/) Dam information requested
or not requested
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other Water Rights
11. (X) Ownership
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowlegment)
Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- X Field check: by _____
+ Field report attached
+ Analysis Supp. attached(>5cfs/500af)
+ Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 9/23/92

X (Include Moratorium Remark)

X Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

10/15/92 Advertised in: CTA's

County of: KOOTENAI

SEND COPIES TO:

() USFS CdA	() USFS Oro	() USFS Grangeville
() BLM	() W/W Corps	() Albeni Corps
() F&G CdA	() F&G Lew	() IDL
() H&W CdA	() H&W Lew	() Adj Div
(Other) _____		

LETTERS SENT REQUESTING:

() Dam information () Fish Information
() Power information () Other

INFORMATION RECEIVED

() Power information () Dam information
() Fish Information () Other

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: SAK Date: 10/23/92

Remarks: _____

- X Groundwater management area
X Critical ground water area
X Well Drilling Permit required
X Well Drilling Application and Fees received
Well Drilling Application approved?
Well Drilling Application Number 95-92-N-62-000

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- Notice of pending void order issued. Final order response time _____
Further information required from applicant
Affidavit of publication received
Application published correctly, If not, record action taken: PIU incorrect. BLM
Publication dates and paper recorded on application
Protests received. Final protest date: 11/2/92
Measuring device required
Measuring port required
Special conditions: _____
Special conditions of approval supplement and/or cover letter attached:

RECEIVED
NOV 25 1992

Sr. Agent initial
Department of Water Resources

Approval Recommended by: AK RWT Date: 11/3/92

95-08779

MORTON, WILBUR
N 2705 HWY 41
POST FALLS, ID 83854

Source: GROUNDWATER

Diversion Pt: SESE Sec 24 T 51N R 05W in KOOTENAI County.

Use: IRRIGATION	(.200 CFS)
DOMESTIC	(.060 CFS)
Total Diversion:	(.260 CFS)

Date Filed: 9/23/1992

In: KOOTENAI County
T51N R05W S24 SESW

10.0 ACRES TOTAL

MICROFILMED

MAY 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 4, 1992

Mr. Wilbur Morton
N. 2705 Hwy. 41
Post Falls, Id 83854

Re: 95-8779

Dear Mr. Morton:

During the review of your above-referenced water right application, we noticed that your Well Drilling Permit No. 95-92-N-62-000 was never upgraded to accommodate irrigation use.

Your well driller filed a well drilling permit in your name which was for domestic use only. The filing fee for this domestic permit was \$35.00. Since your water right application shows that you intend to use the water from your well for irrigation use in addition to domestic use, your well drilling permit must be upgraded to a Non-Domestic Permit. The fee for this permit is \$200.00.

In order to proceed with the approval of your water right application, you must upgrade your well drilling permit by submitting the balance of the \$200.00 fee (\$200.00 - \$35.00 = \$165.00) within ten (10) days. We will suspend the processing of your water right until we receive the \$165.00 fee.

Thank you for your cooperation.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

OK
RGT

RECEIVED
MAY 26 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 7, 1992

Mr. Wilbur Morton
N. 2705 Hwy. 41
Post Falls, Id. 83854

Re: Water Appropriation Application No. 95-8779.

Dear Mr. Morton:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests.

If the application is not protested it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

MAILED
OCT 20 1992