

[illegible]

X Marvin K. Willadsen
(Applicant)

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai

ss.

Carole Hedge 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

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 2 consecutive Weeks, commencing on the 30 day of Aug, 1984, and ending on the 6 day of Sept, 1984, 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.

Subscribed and sworn to before me this

1984

Carole Hedge
RECEIVED
SEP 13 1984

Roberta D. Ranky
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER

Department of Water Resources
Northern District Office

MICROFILMED

ORDINANCE NO. 1863 AN ORDINANCE AMENDING THE ZONING ACT OF NOTICE OF APPLICATION FOR WATER RIGHT

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

95-8457

WILLADSEN, MARVIN K.
E. 700 WILLADSEN RD.,
RATHDRUM, ID 83858
Source: UNNAMED STREAM
trib. to RATHDRUM CREEK
Date Filed: 08/16/1984
Diversion Pt.: SWNW Sec 30
T 52N R 04W
Use: IRRIGATION (0.20
CFS); IRRIGATION
STORAGE (6.0 AF); IRRIGA-
TION FROM STORAGE (6.0
AF); DIVERSION TO
STORAGE (0.20 CFS)
In: NWNE Sec 30 T 52N R 04W
FOR 20 ACRES

95-8458

STEINPREIS, WILLIAM J.
S. 4799 STEINPREIS RD.,
POST FALLS, ID. 83854
Source: UNNAMED STREAM
trib. to SKALAN CREEK
Date Filed: 08/20/1984
Diversion Pt.: SESW Sec 20 T
50N R 05W
Use: IRRIGATION (0.20
CFS); STOCKWATER (0.02
CFS)
In: NESW SESW SWSE Sec 20
T 50N R 05W SESW Sec 20 T
50N R 05W FOR 30 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before SEPTEMBER 17, 1984.

KEN DUNN, Dir.

Legal 806
Aug. 30, Sept. 6, 1984

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-8457 IN THE
NAME OF MARVIN K. WILLADSEN

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September, 1, 1989; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, on September, 1, 1989 the permit lapsed for failure of the permit holder to submit proof of beneficial use; 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 lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on September 5, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-8457 be REINSTATED and the priority advanced to August 20, 1984.

Dated this 23 day of October, 1989.

MICROFILMED

NOV 24 1989


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Marvin K. Willadsen Phone 687-1408

Post office address E. 700 Willadsen Rd., Rathdrum, Id. 83858

2. Source of water supply Unnamed Stream which is a tributary of Rathdrum Creek

3. Location of point of diversion is SWSW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 Township 52N

Range 4W B.M. Kootenai County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 for Div. to Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) Allow 1/1 to 12/31*

Amount 6.0 AF for Str. for Irr. purposes from -3/15- to -11/15- (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.20 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 6.0 AF for Irr. from Str. purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated: *kw 9/21/1984

a. 0.2 cubic feet per second and/or b. 6.0 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Concrete dam with gravity flow pipeline to augment water to reservoir located in the SENW of Sec. 30, under Permit 95-7719.

b. Height of storage dam 4 feet, active reservoir capacity 6.00 acre-feet; total reservoir capacity 6.00 acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage Jan. 1 to Dec. 31 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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 — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower 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 _____.

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

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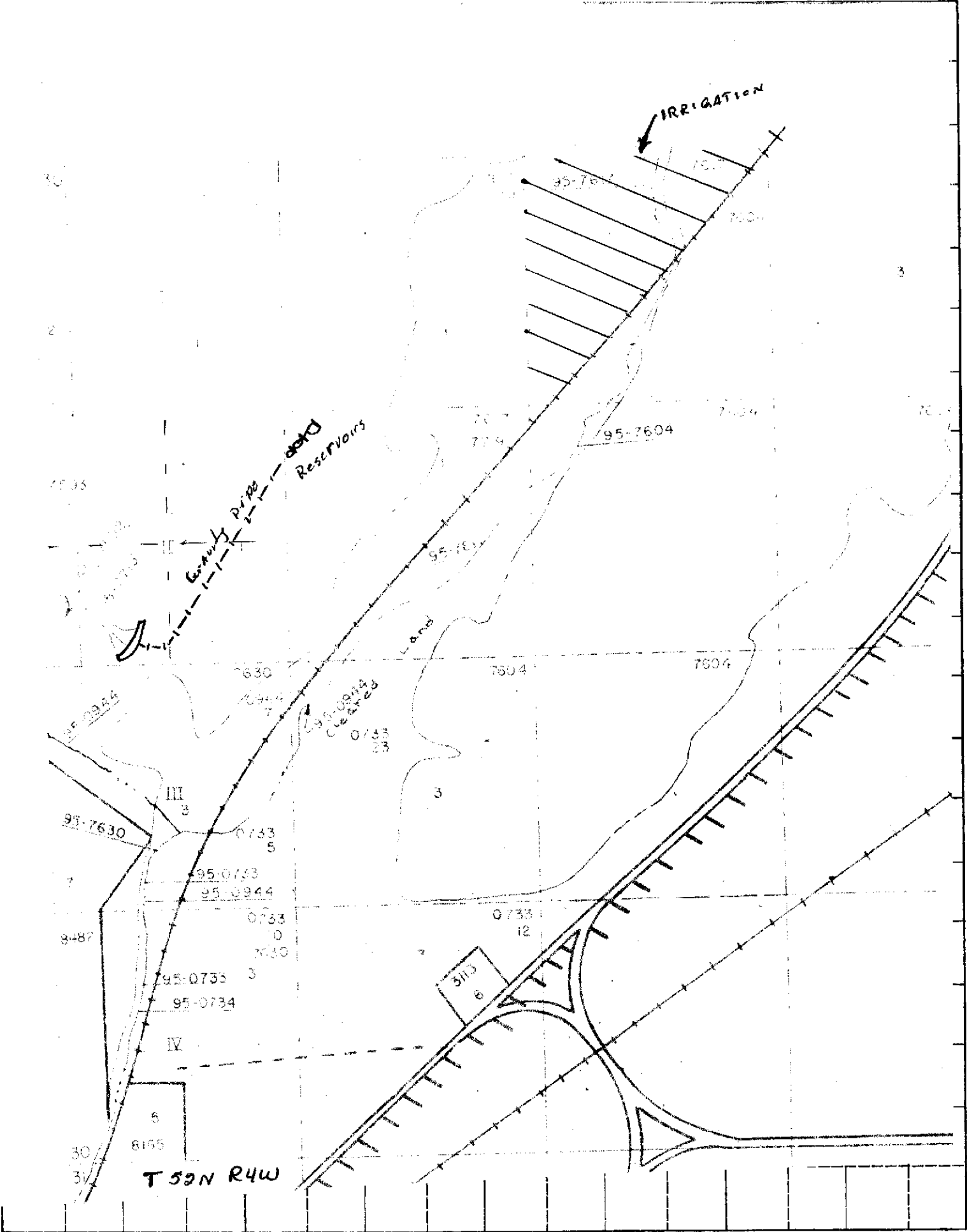
UNCLASSIFIED

20 Total number of acres to be irrigated

Claim

10. Remarks

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



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

X *Marvin E. Willadsen*
(Applicant)

RECEIVED

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Proposed Priority 8/16/84

Received by Date 8/14/84 Time 1:00 PM
Preliminary check by Fee \$ 30.00
Received by Date 8/16/84 (31621)
Publication prepared by Date 8/23/84
Published in
Publication dates 8/30 - 9/6/84
Publication approved Date 9/13/84
Protests filed by:
Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-8457, 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 89.

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.

d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 24th day of September, 1984.

D. Alan Saylor
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai } ss.

Carole Hedge 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 Notice

of which the annexed is a printed copy, was published in the regular Issue
issue of said newspaper for 2 consecutive Weeks,
commencing on the 30 day of Aug, 1984, and
ending on the 6 day of Sept, 1984, 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.

Subscribed and sworn to before me this 6 day of Sept,
1984

RECEIVED Relinda Sparks
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER

SEP 13 1984

Department of Water Resources
Northern District Office

RECORDED

ORDINANCE NO. 1883 AN ORDINANCE AMENDING THE ZONING ACT OF NOTICE OF APPLICATION FOR WATER RIGHT

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

95-8457

WILLADSEN, MARVIN K.
E. 700 WILLADSEN RD.,
RATHDRUM, ID 83858
Source: UNNAMED STREAM
trib. to RATHDRUM CREEK
Date Filed: 08/16/1984
Diversion Pt.: SWNW Sec 30
T 52N R 04W
Use: IRRIGATION (0.20
CFS); IRRIGATION
STORAGE (6.0 AF); IRRIGA-
TION FROM STORAGE (6.0
AF); DIVERSION TO
STORAGE (0.20 CFS)
In: NWNE Sec 30 T 52N R 04W
FOR 20 ACRES

95-8458

STEINPREIS, WILLIAM J.
S. 4799 STEINPREIS RD.,
POST FALLS, ID. 83854
Source: UNNAMED STREAM
trib. to SKALAN CREEK
Date Filed: 08/20/1984
Diversion Pt.: SESW Sec 20 T
50N R 05W
Use: IRRIGATION (0.20
CFS); STOCKWATER (0.02
CFS)
In: NESW SESW SWSE Sec 20
T 50N R 05W SESW Sec 20 T
50N R 05W FOR 30 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before **SEPTEMBER 27, 1984**.

KEN DUNN, Dir.

Legal 806
Aug. 30, Sept. 6, 1984

November 2, 1989

Marvin K. Willadsen
700 Willadsen Rd.
Rathdrum, ID 83858

Dear Mr. Willadsen:

Re: Permit No. 95-8457

The department acknowledges receipt of the proof of beneficial use form submitted on September 5, 1989 to this office for the above referenced permit. Enclosed is an order which reinstates the permit since the proof was received after the proof due date.

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 of the water.

If you have questions concerning the field inspection, please feel free to contact our Northern Regional Office at 765-4639 in Coeur d'Alene.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: IDWR - region

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NOV 24 1989

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 95-8457

Date: 10/18/89

General Considerations:

☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely _____
_____ Reinstated

Source of Water:

☒ Surface water
_____ Groundwater
_____ N/A 1. well log in file
_____ 2. drilling permit
_____ N/A A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses
_____ ☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

☒ Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof reinstated

Priority Calculation:

Date proof received	<u>Sept 5, 1989</u>	<u>248</u>
Date proof due	<u>Sept 1, 1989</u>	<u>- 244</u>
No. of days late		<u>= 4</u>
Priority date	<u>Aug 16, 1984</u>	<u>+ 228</u>
NEW PRIORITY DATE	<u>Aug 20, 1984</u>	<u>= 232</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

SEP 05 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received \$ 50.00
Receipt # *N-3292*
Received by TDK
Reviewed by TDK-*NS-10/18/89*
Sent to Region By _____

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit # 95-08457

Name of Permit Holder: MARVIN K. WILLADSEN
Post Office Address: 700 WILLADSEN RD.
RATHDRUM, ID, 83858 Telephone No: (208) NONE

Source of water: UNNAMED STREAM TRIBUTARY TO RATHDRUM CR.

Extent of use: Domestic (number of homes)
Stock (number and type of stock)
Irrigation (number of acres) 20
Other/Remarks

Total Rate and/or volume for which proof is submitted 0.20 cfs/ 6.0 acre-feet
Show the date water was first diverted and beneficially used under this permit:
DATE OF APPROVAL

Measuring Device: Required ? Yes No X Fee Enclosed \$ 50.00
Installed ? Yes No X (See License Examination Fee Sched.)
Flow Measurement Port: Required ? Yes No X
Installed ? Yes No X

Person to contact to accompany the Department representative during the field examination:

Name: PERMIT HOLDER Telephone Number

(Address)

The above information 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.

Date 8/31/89 x Marvin K. Willadsen
Signature of permit holder (and title, if appropriate)

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NOV 24 1989

138428
June 30, 1989

MARVIN K. WILLADSEN
E. 700 WILLADSEN RD.
RATHDRUM, ID 83858

PROOF DUE NOTICE

RE: PERMIT NO. 95-08457

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 September 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

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NOV 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 95-8457
Name(s) of Permit Holder(s): Marvin K Willadsen
Post Office Address: E 700 Willadsen Rd.
Bathdram Idaho 83858 Tel. No. 687-1408

☒ I hereby certify that construction of diversion works for the above referenced permit began on August 1985 (date) and I must continue to develop the water system with due diligence to maintain a valid permit.

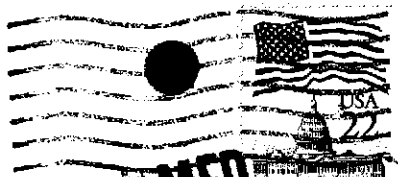
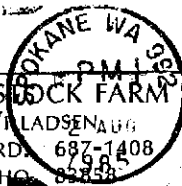
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is not an acceptable reason.

8-1-85
Date

Marvin K Willadsen
Signature of Permit Holder

WILLADSEN LIVESOCK FARM
MARVIN K. WILLADSEN
E. 700 WILLADSEN RD. 687-1408
RATHDRUM, IDAHO 83858



MICROFILMED

NOV 24 1989



RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

AUG 5 1989 BOISE, IDAHO 83720

Department of Water Resources

October 5, 1984

RE: Permit No. 95-8457

Marvin K. Willadsen
E. 700 Willadsen Rd.
Rathdrum, ID 83858

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc
Enclosures

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Reya

APPLICATION NUMBER: 95-8457

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☐ Time required for beneficial use of water.
☐ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. 9/17/84
Final date for protests: 9/17/84
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/13/84
☐ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
8/16/84 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

By: Reya

Date: 9/17/84

WILKUFILMED

STATE OFFICE REVIEW:

217 26

- ☐ See attached sheet for more information.

By: fw

Date: 9-21-84

RECEIVED
SEP 21 1984

IDENT. NO. 95-8457

WATER RIGHT
DATA ENTRY LOG

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Updated

Transfer Updated

Keypunched by State Office

95-845Z

WILLADSEN, MARVIN K.

E. 700 WILLADSEN RD., RATHDRUM, ID 83858

Source: UNNAMED STREAM trib. to RATHDRUM CREEK

Date Filed: 08/16/1984

Diversion Pt: SWNW Sec 30 T 52N R 04W

Use: IRRIGATION	(0.20 CFS)
IRRIGATION STORAGE	(6.0 AF)
IRRIGATION FROM STORAGE	(6.0 AF)
DIVERSION TO STORAGE	(0.20 CFS)

In: NWNE Sec 30 T 52N R 04W FOR 20 ACRES

MICROFILMED