

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 94-7080 Priority May 17, 1976 Amount 0.02 cfs

THIS IS TO CERTIFY, that R. P. &/OR SHARON MCDANIEL
of Cataldo, Idaho, has complied with the terms and conditions of Permit
No. 94-7080 issued pursuant to Application for Permit dated May 17, 1976,
and has submitted proof to the Department of Water Resources on May 10, 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 0.02 cfs of water from Clark Creek,
tributary to Coeur d'Alene River, 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
<u>Domestic</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.02</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.02 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 SW 1/4, Sec. 27, Twp. 48N,
Rge. 2W, B.M. in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
48N	2W	27			X														

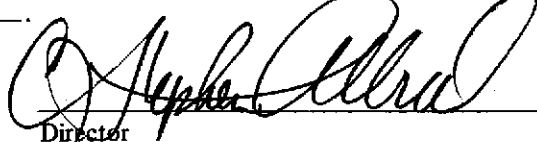
Total number of acres irrigated _____

MICROFILMED

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 24 day of
July, 19 79.


Director

Identification No. 94-7080

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

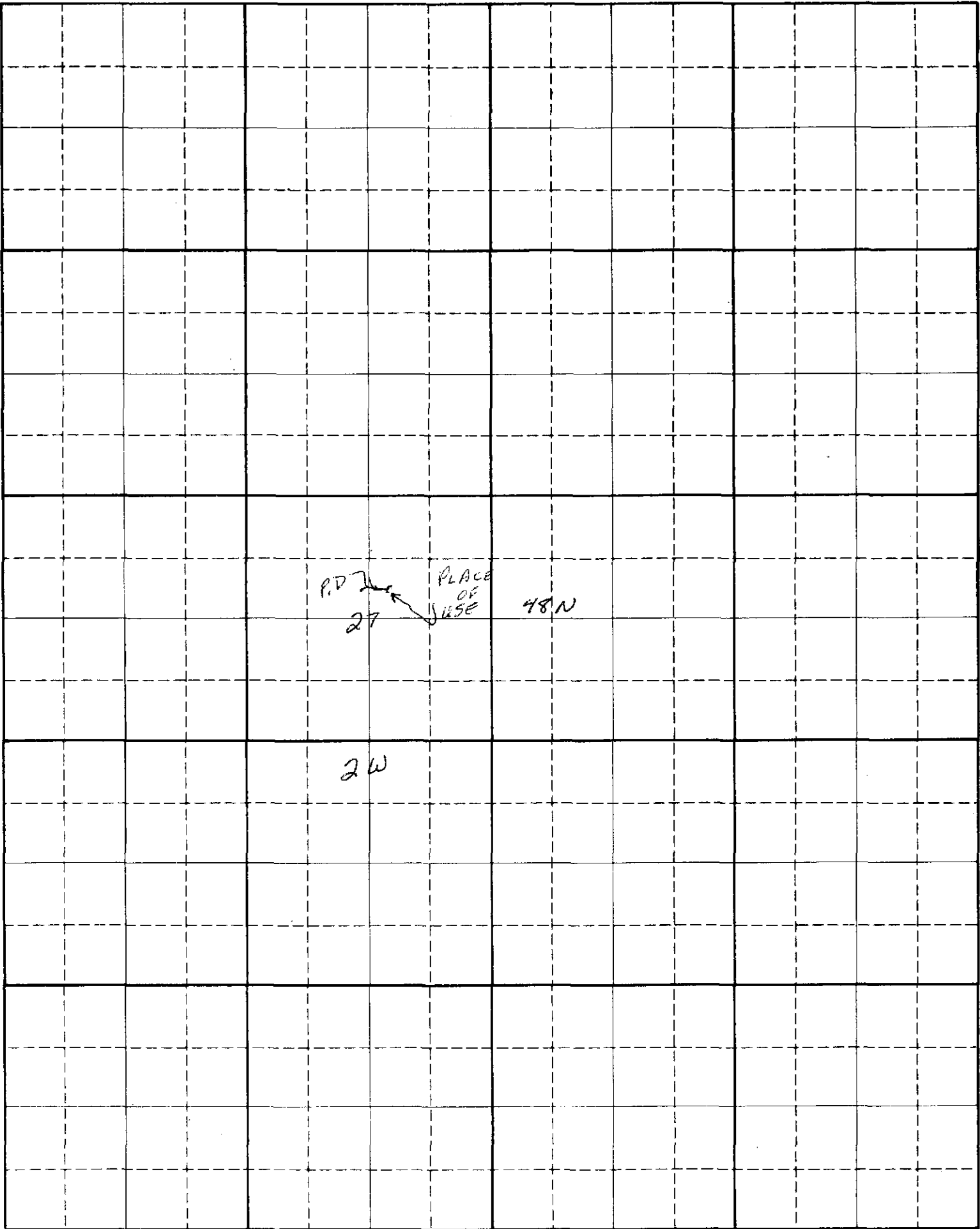
1. Name of applicant R. P. &/or Sharon McDaniel Phone: _____
post office address Route 1, Box 207, Cataldo, Idaho
2. Source of water supply Clark Creek which is a tributary of Coeur d'Alene River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 48N
Range 2W 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 0.02 for Domestic purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 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 _____ 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 2 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 27 Township 48N
Range 2W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: Irrigation of lawn and garden.

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.

Sharon McDaniel
(Applicant)

Proposed priority: 5/17/1976

Received by KK Date 5-17-76 Time 4:00 p.m.
Preliminary check by RAH Fee \$ 10.00
Received by CP Date 5-17-76 (Rel. # 4934)
Publication prepared by CP Date 5-21-76

Published in Coeur d'Alene Press
Publication dates 5-21 & 6-3-76
Publication approved CP Date 4/8/76
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by: _____
Hearing held by _____ Date _____
Recommended for approval denial by RAH 5/17/76

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. 94-7080, 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 July 1, 19 78.

c. Other: _____

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

Witness my hand this 22 day of June, 19 76

Director

AFFIDAVIT OF PUBLICATION

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that R.P. &/or Sharon McDaniel, Route 1, Box 207, Cataldo, Idaho have on May 17, 1976 submitted Application No. 94-7080 for a permit to appropriate 0.02 cubic feet per second of water from Clark Creek, tributary of the Coeur d'Alene River by means of pump and pipeline within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27, T. 48N, R. 2W, B.M., Kootenai County to be used from March 15 to Nov. 15 for domestic purposes within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 27, T. 48N, R. 2W, 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 June 14, 1976

R. KEITH HIGGINSON
Director

May 27, June 3, 1976
Legal 102

STATE OF IDAHO,
County of Kootenai,

ss.

Carol Hedge

Department of the State
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 of said newspaper for 2 consecutive weeks commencing on the 27 day of May, 1976, and ending on the 3 day of June, 1976, 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.

Carol Hedge

Subscribed and sworn to before me this

3

day of

June

1976

Roberta Stanley

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

1188
LEADER



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

July 26, 1979

R. P. or Sharon McDaniel

Route 1, Box 207

Cataldo, ID 83810

Dear Mr. & Mrs. McDaniel:

RE: Water Right No. 94-7080

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

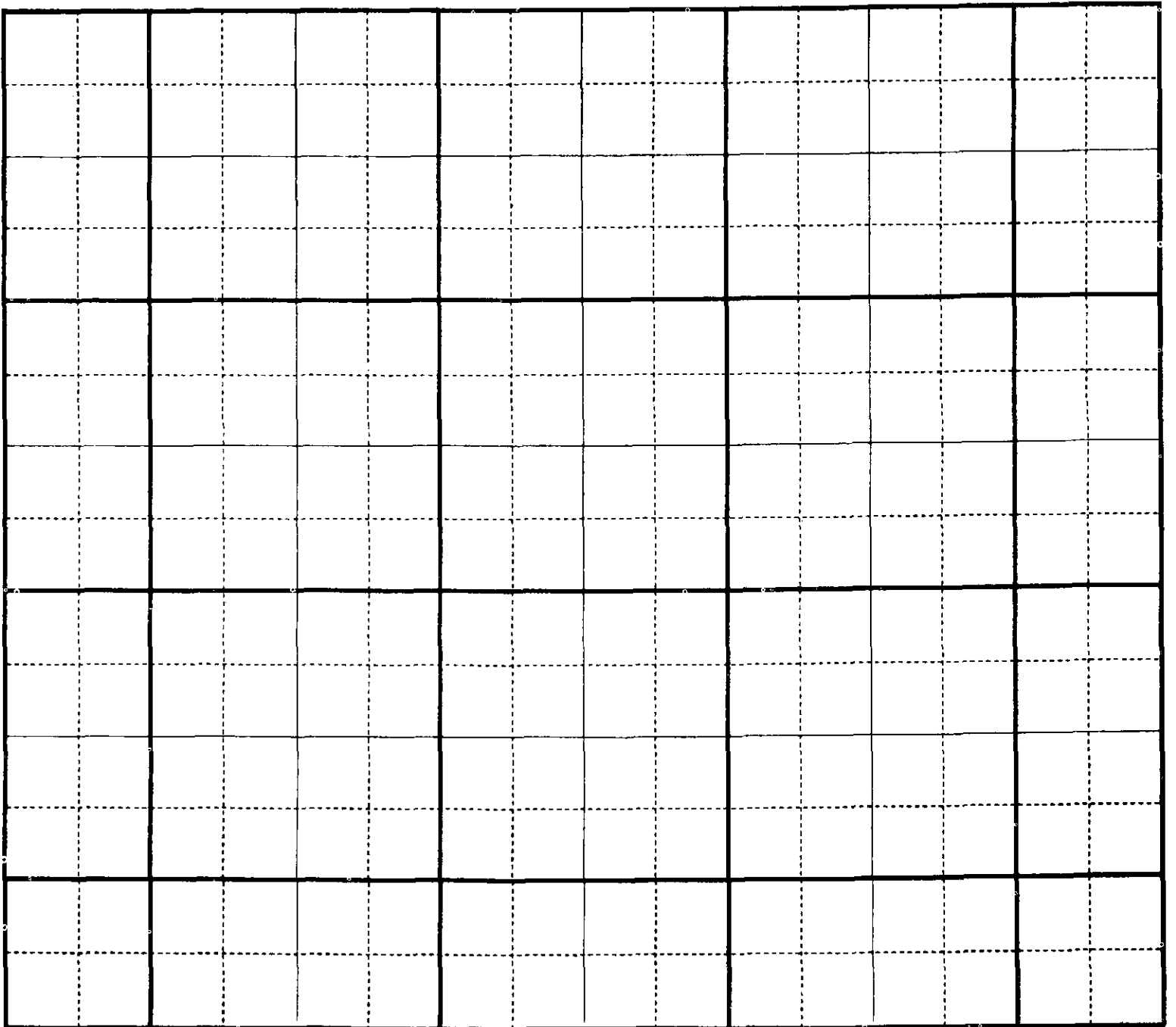
JAN GROVER
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

Diagram of System



DATE OF EXAM 9/30/78

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.02 c.f.s. V= 1.2 AF/Ann. from 3/15 to 11/15
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

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 none Method of measurement _____

Total Q recommended 0.02 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

Check done @ 0.02 cfs & 1.2 AF/Ann

SYSTEM DESCRIPTION:

1/2 hp pump & motor with pipe line to place of use

REMARKS:

Not home spoke with neighbor Mrs Kalman (7104)

Examiner's Signature I Ky Date 9/30/78
Checked by Bob Haynes Date 9-5-78
Approved by _____ Date _____

May 17, 1978

Re: Permit No. 94-7080

R. P. &/pr Sharon McDaniel
Route 1, Box 207
Cataldo, Idaho 83810

Dear Mr. & Mrs. McDaniel:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights

RECEIVED

Identification No. _____

Permit No. 94-7080

RECEIVED

MAY 10 1978

OG

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder R. P. OR SHARON M^E DANIEL
b) Post Office Address RT 1 Box 207, CATALDO, ID 83810
2. Permit Number 94-7080
3. Date of Priority that you are prepared to establish 5-17-76
4. a) Source from which water was appropriated CLARK CREEK
b) Location of the point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27
Township 48N, Range 2W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.02 for DOMESTIC purposes from JAN 1 to DEC 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.02 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: ESTIMATED
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 or 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) $\frac{1}{2}$ HP PUMP MOTOR # J5 345 RPM
MODEL 412232 230 WATTS 60 CYCLE
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
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:
SW $\frac{1}{4}$ N $\frac{1}{4}$ S-27T-48NR-2W ONE HOUSEHOLD

5/17/78

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.

5-8-28

(Date)

Sharon N McDaniel

(Signature)

State of Idaho)

County of Butte) ss.

On this 8 day of May, 1928, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires

Sept 1930

Notary Public residing at

Butte



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 28, 1978

CERTIFIED MAIL

138667

Re: Permit No. 94-7080

R. P. &/or Sharon McDaniel
Route 1, Box 207
Cataldo, Idaho 83810

Dear Mr. & Mrs. McDaniel:

One of the conditions of approval of your water Permit No. 94-7080 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before July 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

RECEIVED

June 23, 1976

Re: Permit No. 94-7080

R. P. &/or Sharon McDaniel
Route 1, Box 207
Cataldo, Idaho 83810

Dear Mr. & Mrs. McDaniel:

Enclosed is a copy of your approved Application for Permit No. 94-7080. We direct your attention to the conditions of approval as listed on the fourth page.

Should you have questions regarding the permit, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 94-7080 R.P. e/or Sharon McDaniel

☒ 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) RMA 5-18-76

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) RMA 5-18-76

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: no field review

(11) CP 6/8

Affidavit of Publication received (date) JUNE 4, 1976

(12) CP 5/21

Final date for protests JUNE 14, 1976

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or
applicant: yes ☒ no _____

(14) _____

Action recommended:

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☒ Approve

JUN 15 Deny

Proposed Priority 5-17-76

Department of Water Resources

Reason for Reduction

Measuring device required

See attached sheet for other conditions of
approval

☒ No special conditions for approval

(15) District Northern

By B. B. Haynes Date 6-14-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

May 21, 1976

Re: Application No. 94-7080 Application No. 95-7626
 Claim No. 95-4358 " " 95-7628
 Application No. 95-7617 " " 95-7629

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

Bill: 6-8-76.8

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that R. P. &/or Sharon McDaniel,
Route 1, Box 207, Cataldo, Idaho
have ~~was~~ on May 17, 1976 submitted Application No. 94-7080
for a permit to appropriate 0.02 cubic feet per second ~~across feet per second~~
of water from Clark Creek, tributary of Coeur d'Alene River
by means of pump and pipeline
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 48N, R. 2W, B.M., Kootenai County
to be used from March 15 to Nov. 15
for domestic purposes
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 48N, R. 2W, 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 June 14, 1976.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on May 27 and June 3, 1976