

**NOTICE
OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Russell Dalton, Sunshine Star Route, Kellogg, Idaho has on November 16, 1972 submitted Application No. 94-7025 for a permit to appropriate 0.10 cubic feet per second of water from a ground water source by means of pump, storage tank, and pipe within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 48N, R. 3E, B.M., Shoshone County to be used from Jan. 1 to Dec. 31 for domestic purposes for 70 families within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 48N, R. 3E, 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 December 11, 1972.

R. KEITH HIGGINSON

Director

Published in the Kellogg Evening News, Kellogg, Idaho on Nov. 22 and Nov. 29, 1972.

O.K.

11-21-72

cl

94 7025

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 94-7025 Priority (late proof)
December 3, 1972 Amount 0.10 cfs

THIS IS TO CERTIFY, that RUSSELL DALTON
of Osburn, Idaho, has complied with the terms and conditions of Permit
No. 94-7025 issued pursuant to Application for Permit dated November 16, 1972,
and has submitted proof to the Department of Water Resources on January 18, 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 0.27 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(70 units)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.10</u> cfs and	<u>72</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.10 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
72 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 48N,
Rge. 3E, B.M. in the County of Shoshone

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	3E	5													X	X			

Total number of acres irrigated _____

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 27 day of
September, 19 79

Director

APPROVED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 94-7025

IN THE NAME OF RUSSELL DALTON

ORDER OF REINSTATEMENT

WHEREAS, on November 16, 1972, Russell Dalton filed with the Department of Water Resources an application for permit to appropriate 0.10 cubic feet per second of groundwater to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, Twp. 48N, Rge. 3E, B.M., Shoshone County, to be used for domestic purposes; and,

WHEREAS, on January 12, 1973, the Department approved said application and issued Permit No. 94-7025 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before January 1, 1978; and,

WHEREAS, on October 31, 1977, the Department notified the permit holder by certified mail that proof of beneficial use of water was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on January 11, 1978, the Department notified the permit holder that Permit No. 94-7025 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, on January 18, 1978, the Department received the required 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 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 94-7025 be REINSTATED and the priority advanced to December 3, 1972.

Dated this 24 day of January, 1978.


BOBBY D. FLEENOR
Chief, Operations Bureau

Identification No. 94-7025

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Russell Dalton
post office address Sunshine Star Rt., Kellogg, Idaho 83837
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 48N
Range 3E B.M. Shoshone 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 0.10 for Domestic 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)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.10 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump, storage tank, and 6-inch
water main.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 8 inches; proposed depth of well is 60 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: N $\frac{1}{2}$ ~~xx~~ of SE $\frac{1}{4}$ of Section 5 Township 48N
Range 3E 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 70.
(5) If water is to be used for other purposes describe: _____

94 7025

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

[illegible]

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. _____

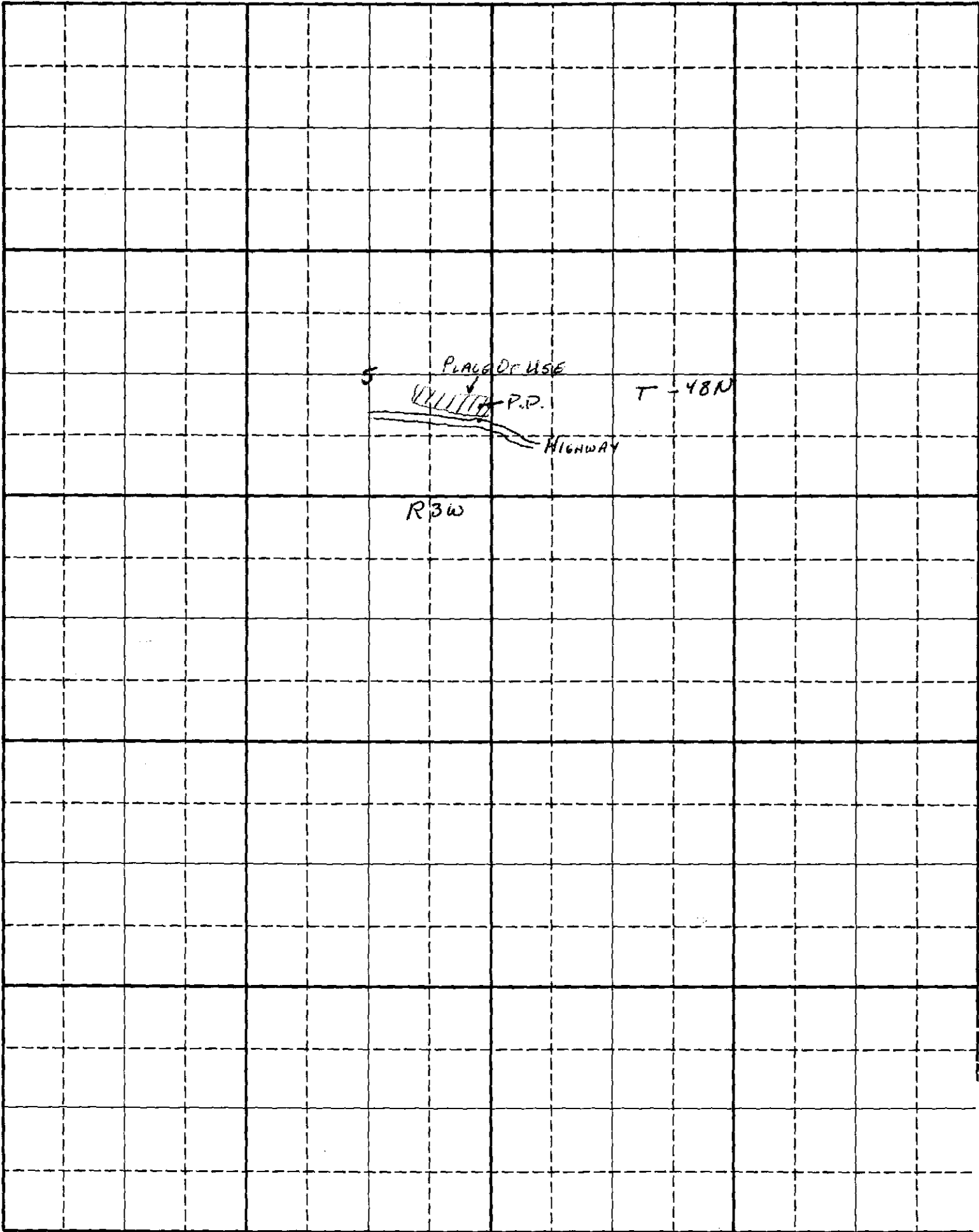
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

II. 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.

Russell Dalton
(Applicant)

OK.
4.8.

Proposed Priority 11-16-1972

Received by KK Date 11/16/72 Time 11:45AM

Preliminary check by KK Fee \$ 10.00

Receipted by KK Date 11/16/72 # 8482

Publication prepared by cr Date 11-17-72

Published in Kellogg Evening News

Publication dates 11-23 & 11-30-72

Publication approved cl Date 1-9-73

Priority ~~reduced~~ to 11/16/72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D BDF

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. 94-7025, 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, 1978.

c. Other: _____

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

Witness my hand this 12th day of January, 1973.


Director

94 7025

PROOF OF PUBLICATION

STATE OF IDAHO
County of Shoshone, }

SS.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Russell Dalton, Sunshine Star Route, Kellogg, Idaho has on November 16, 1972 submitted Application No. 94-7025 for a permit to appropriate 0.10 cubic feet per second of water from a ground water source by means of pump, storage tank, and pipe within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 48N, R. 3E, B.M., Shoshone County to be used from Jan. 1 to Dec. 31 for domestic purposes for 70 families within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 48N, R. 3E, 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 December 18, 1972.

R. KEITH HIGGINSON
Director

Published in the Kellogg Evening News, Kellogg, Idaho on 11-29-12-6-'72.

NOTICE TO BIDDERS

County Board of

Wm. Penney, being first duly sworn deposes and says that he is publisher of KELLOGG EVENING NEWS a daily newspaper of general circulation in said county, published in the City of Kellogg, in the County of Shoshone and the State of Idaho, and which has been published continuously in said county for a period of 78 weeks immediately prior to the publication of the notice hereinafter described, and that the

WATER REQUEST
RUSSELL DALTON
94-7025
DEPT WATER ADMINISTRATION

of which the annexed is a true copy, was published in each regular weekly/daily issue of said newspaper, and not in a supplement thereto, for a period of 2 consecutive weeks/days, the first publication thereof being in its issue dated NOV 29, 1972 and the last publication thereof being in the issue dated

DEC 6, 1972

Wm. Penney

Subscribed and sworn to before me this 4th

day of January, 1973

Wendell R. Brainerd

Notary Public

94 7025

Roll for
Jan

MEMO

To: TOM KING

From: JAN GROVER

Date: 8/3/79

Herewith forwarding field exam report for Permit No. 94-7025

Cannot issue license until the following is determined:

- ☐ Amount of water measured
- ☐ Location of point of diversion
- ☐ Place of use for domestic
- ☐ Place of use for stockwater
- ☐ Place of use for irrigation (number of acres in each 40-acre subdivision)
- ☐ Installation of measuring device
- ☐ Permit holder does not agree with findings of examiner, please re-examine
- ☒ Other

How many domestic units did you find for this one?

RECEIVED

AUG 7 1979

Department of Water Resources

MICROFILMED

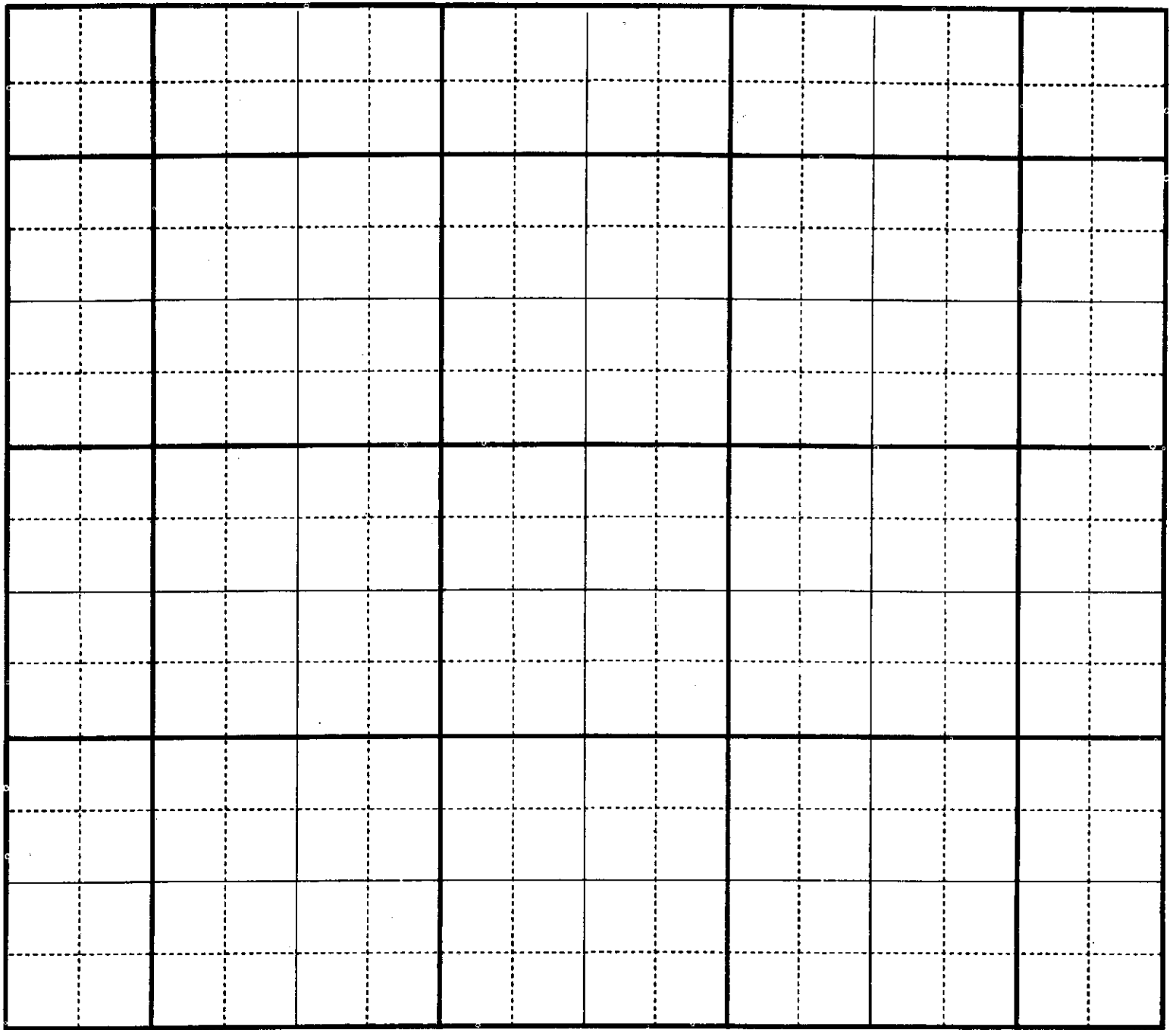


Diagram of System

120

DATE OF EXAM 9-1-78

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ ^{left} AF/Ann. from _____ to _____
Domestic Q= 0.10 c.f.s. V= 72.27 AF/Ann. from Jan to Dec 31
Livestock Q= _____ c.f.s. V= 72 ac 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 120 gpm ^{0.27} Method of measurement _____

Total Q recommended 0.10 Meter No. _____ Type MUSCO Condition fair

Total V recommended 72.27 AF/ann

Recommended Amendments: 72 ac
feet
pounded

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

MEASUREMENT CALCULATION:

120 gpm = 0.27 = 0.1 cfs (365) 1.98 = 72.27 AF/ann
542.5

SYSTEM DESCRIPTION:

Well pump & pipe line to place of use

REMARKS:

contacted Mr. Dalton

This is a Trailer Park with hookups for ~~20~~ over 70 trailer homes.

Examiner's Signature J. King Date 9-1-78

Checked by Bob Haynes Date 9-5-78

Approved by _____ Date _____

January 25, 1978

Re: Permit No. 94-7025

Russell Dalton
Box 313
Osborn, Idaho 83849

Dear Mr. Dalton:

Enclosed is an Order of Reinstatement; please note that the priority has been advanced to December 3, 1972.

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

MICROFILMED

Identification No. _____

Permit No. 94-7025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 18 1978

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Russell Dalton
b) Post Office Address Box 313 Csburn, Idaho 83849
2. Permit Number 94-7025
3. Date of Priority that you are prepared to establish March 19th 1973
4. a) Source from which water was appropriated Well (10'')
b) Location of the point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5
Township 48N, Range 3E, B, M, Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.10 for Domestic purposes from Jan. 1-1973 to Dec. 31-1973 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 0.10 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: Drilled Well, put in pump, put in pipe line to 25,000, Gal water tank, installed water meter in pump house, Work was done by Russell Dalton (owner)
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: Well, And pump, pipe line.
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) 15-H.P. motor. 10'' well Casing, Well Depth 42', 4'' plastic pipe to 25,000 gal. tank.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 4" water meter at top of well
c) Give well driller's name and address and the date the well was completed: Couer D Alene Drilling Company, Hayden Lake Idaho, Date March 19th 1973
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Dosestic use for a mobile Home Court

Exam typed 1/18/78

January 16, 1978

Re: Permit No. 94-7036

+ 94-7025

Mr. Russel Dalton
Box 313
Osborn, Idaho 83849

Dear Mr. Dalton:

You recently requested permission to install the measuring device required on Permit No. 94-7036 at some convenient location on your property instead of at the point of diversion as required in the conditions on the permit.

Since your diverting works is a pipeline, and all of the water that is diverted will be measured, you are hereby authorized to install the measuring device at some convenient location on your property. This measuring device must be installed prior to the first outlet for beneficial use from your pipeline.

We would appreciate a sketch showing the location of the measuring device so when our field examiner visits the project he will be able to locate the device quickly. Also enclosed is a proof of beneficial use form for your use when the project is complete.

We have also found in our records Permit No. 94-7025 in your name. Proof of application of water to beneficial use was due on this permit on January 1, 1978 and lapsed on January 11, 1978. Copies of the letters notifying you of these actions are enclosed. Also enclosed is a proof of beneficial use form for filing proof on this permit if the project is completed. If you have any questions regarding these matters, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF:jfr

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

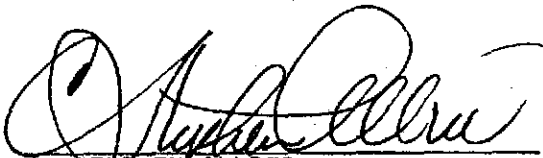
January 11, 1978

Russell Dalton
Sunshine Star Route
Kellogg, Idaho 83837

Dear Mr. Dalton:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 94-7025 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated October 31, 1977.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.



C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

RECEIVED

October 31, 1977

CERTIFIED MAIL

138148

Re: Permit No. 94-7026 & 94-7025

Russell Dalton
Sunshine Star Route
Kellogg, Idaho 83837

Dear Mr. Dalton:

One of the conditions of approval of your water Permit No. 94-7026 (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 January 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name

Russell Dalton

Address

Sunshine State Rt.
Kellogg, Idaho

Owner's Permit No.

94-7025

7. WATER LEVEL

Static water level 31 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flowTemperature ° F. QualityArtesian closed-in pressure p.s.i.Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☒ Bailer ☐ Other

Discharge G.P.M.

Draw Down

Hours Pumped

100

4.3

2 hr

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 10 inches Total depth 41 feetCasing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>.250</u> inches	<u>10</u> inches	<u>1</u> feet	<u>41</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

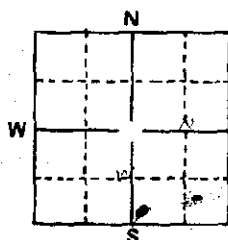
Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 20 feetMaterial used in seal ☐ Cement grout ☒ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



94 7025

County

SHOSHONE

NW 1/4 SE 1/4 Sec. 5, T. 48 N. R. 3 E.

10.

Work started 3-16-73 finished 3-20-73

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Coward Alene Drilling, Inc. 214
Driller's or Firm's Name NumberBox 237 - Hayden Lake, Idaho
AddressBrent M. Muddick 3-27-73
Signed By Date

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 2, 1973

Re: Permit No. 94-7025

Russell Dalton
Sunshine Star Route
Kellogg, ID 83837

Dear Mr. Dalton:

Enclosed is a copy of a letter received from the Idaho Department of Environmental Protection and Health concerning your proposed water system under the above referenced permit.

We felt the information contained in the enclosed letter would be beneficial to you. If you have any questions concerning the water quality or distribution system construction requirements, we suggest you contact the Department of Health for this information.

If we can be of any further assistance, please contact us.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enclosure

bcc: State Office ✓

94 7025

Environmental Protection
Division



1337 G Street
Lewiston, ID 83501

January 30, 1973

RECEIVED

Mr. Fred Eisenbarth
Water Resource Supervisor
Northern District Office
Department of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, ID 83814

Superior Water & Sewerage
Department

Re: Application for
Permit No. 94-7025
Russell Dalton

Dear Mr. Eisenbarth:

If it is not too late I would like to submit the following comments regarding this application:

The ground water in the South Fork of the Coeur d'Alene River valley usually contains high concentrations of Zinc, lead and cadmium; therefore, all new wells should be analyzed for heavy metals before they are used for domestic consumption. Also, plans on the well, pump house and distribution system should be submitted to our office for review and approval prior to construction.

If you have any questions please contact me.

Sincerely,

JAMES M. KIMBALL
Acting Regional
Environmental Supervisor

JMK:bd

cc: Robert P. Olson
Vaughn Anderson

January 12, 1973

Re. Permit No: 94-7025

Russell Dalton
Sunshine Star Route
Kellogg, Idaho 83837

Dear Mr. Dalton:

Enclosed is a copy of your approved Application for Permit No. 94-7025 . We
direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

94 7025

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FR</u>	<u>11/16/72</u>	Application No. <u>94-7025</u> Name <u>Russell Dalton</u>
(2)	<u>FR</u>	<u>11/16/72</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>FR</u>	<u>11/16/72</u>	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.
(5)	<u>FR</u>	<u>11/16/72</u>	In form for advertising <u>OK</u>
(6)	<u>OK</u>	<u>1-5-73</u>	Affidavit of Publication received <u>1-5-73</u>
(7)	<u>OK</u>	<u>11-17-72</u>	Final date for protests <u>DECEMBER 11, 1972 DEC 18, 1972</u> Protests received: yes ☐ no ☒
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)	<u>FR</u>	<u>11/16/72</u>	Critical groundwater area: yes ☐ no ☒
(11)	<u>FR</u>	<u>11/16/72</u>	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____ _____ _____
(13)	<u>FR</u>	<u>11/16/72</u>	Action recommended: ☒ Approve Priority <u>11/16/72</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval
	<u>FR</u>	<u>11/16/72</u>	No conditions for approval
(14)	<u>FR</u>	<u>11/16/72</u>	District <u>Northern</u> By <u>Frederick E. [Signature]</u> Date <u>11/16/72</u> Title <u>Engineer in Charge</u>

RECOMMENDED

CONDITIONS OF APPROVAL

- ☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____
- _____
- _____

December 19, 1972

Re: Application No. 94-7025 - Russell Dalton

C
Kellogg Evening News
401 Main
Kellogg, ID 83837

Gentlemen:

Would you please submit the affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your newspaper on November 29 and December 6, 1972.

P
Your assistance in this matter is appreciated.

Very truly yours,

Y
Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

94 7025

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

November 17, 1972

RECEIVED

NOV 21 1972

Re: Application No. 94-7025 - Russell Dalton

Department of Water Administration
Northern District Office

Kellogg Evening News
401 Main
Kellogg, ID 83837

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR
Enc: Legal Notice

~~AB~~ COPY OF NOTICE
ENCLOSED AS REQUESTED

94 7025

November 17, 1972

Re: Application for Permit No. 94-7025 - Russell Dalton

Vaughn Anderson
Idaho State Health Department
Environmental Improvement Division
Statehouse
Boise, ID 83707

Dear Mr. Anderson:

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our office as soon as possible. We normally complete the processing of an application within a 6-week period and we are required to take final action shortly thereafter.

If we may be of further assistance, please contact us.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

Enc: copy

94 7025

November 17, 1972

Re: Application No. 94-7025 - Russell Dalton

Kellogg Evening News
401 Main
Kellogg, ID 83837

Gentlemen:

Enclosed you will find 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.

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(signature of claimant)

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

Bill submitted 1-9-73 by CR

FE:CR
Enc: Legal Notice

94 7025

The Kellogg Evening News

Population Kellogg area 10,000; center of the mining and smelting industry of the Coeur d'Alenes. Home of the greatest silver-lead mine in the world and one of the world's most modern smelting and refining plants. Monthly payroll \$1,500,000 in addition to extensive timber and logging operations tributary to Kellogg. The NEWS is the only newspaper published in the Kellogg district of Shoshone County, Idaho, and is the official paper of Kellogg, Wardner, Smelterville, Osburn, Pinehurst, Mullan and Shoshone County.

KELLOGG, IDAHO

Department of Water Administration

401 Front Street Room 209

Coeur d'Alene, Idaho 83814

Jan 3 1973

Application No 94-7025 Russell Dalton

Legal Notice Nov 29 & Dec 6

2 insertions

\$11.10

I hereby certify the above account to be correct, services and/or merchandise delivered, and payment not received.

[Signature]
Signature of Claimant

94 7025

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Russell Dalton,

Sunshine Star Route, Kellogg, Idaho

has on November 16, 1972 submitted Application No. 94-7025

for a permit to appropriate 0.10 cubic feet per second ~~XXXXXX~~

of water from a ground water source

by means of pump, storage tank, and pipe

within the NE 1/4 Sec. 5, T. 48N, R. 3E, B.M., Shoshone County

to be used from Jan. 1 to Dec. 31

for domestic purposes for 70 families

within the NE 1/4 Sec. 5, T. 48N, R. 3E, 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 December 11, 1972.

DECEMBER 18, 1972

R. KEITH HIGGINSON

94 7025

Director

Published in the Kellogg Evening News, Kellogg, Idaho

on Nov. 23

and

Nov. 30, 1972

Nov. 29

Dec 6, 1972

NOTICE
OF APPLICATION FOR
WATER PERMIT

Notice is hereby given that Russell Dalton, Sunshine State Route, Kellogg, Idaho has on November 16, 1972 submitted Application No. 84-7025 for a permit to appropriate 0.10 cubic feet per second of water from a ground water source by means of pump, storage tank, and pipe within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 48N, R. 3E, B.M., Shoshone County to be used from Jan. 1 to Dec. 31 for domestic purposes for 70 families within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 5, T. 48N, R. 3E, 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 December 11, 1972.

R. KEITH HIGGINSON

Director

Published in the Kellogg Evening News, Kellogg, Idaho
Nov. 22 and Nov. 29, 1972.

84 7025

11-21-72