

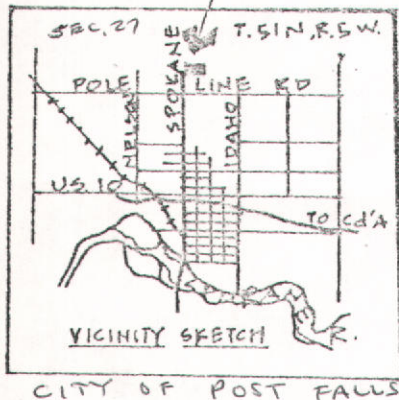
NEW
CEMETERY



600'

444'

PROPOSED
WELL SITE



444'
PROPOSED
WELL SITE

200'

200

SPOKANE ST.

CATHERINE

POLE

LINE ROAD

S 1/4 CORNER SEC. 27
T. 51 N.
R. 5 W. B.M.

EXHIBIT FOR PROPOSED WELL

SCALE: 1" = 200'

APPROVED

DRAWN BY

DATE: 5-15-80

BY:

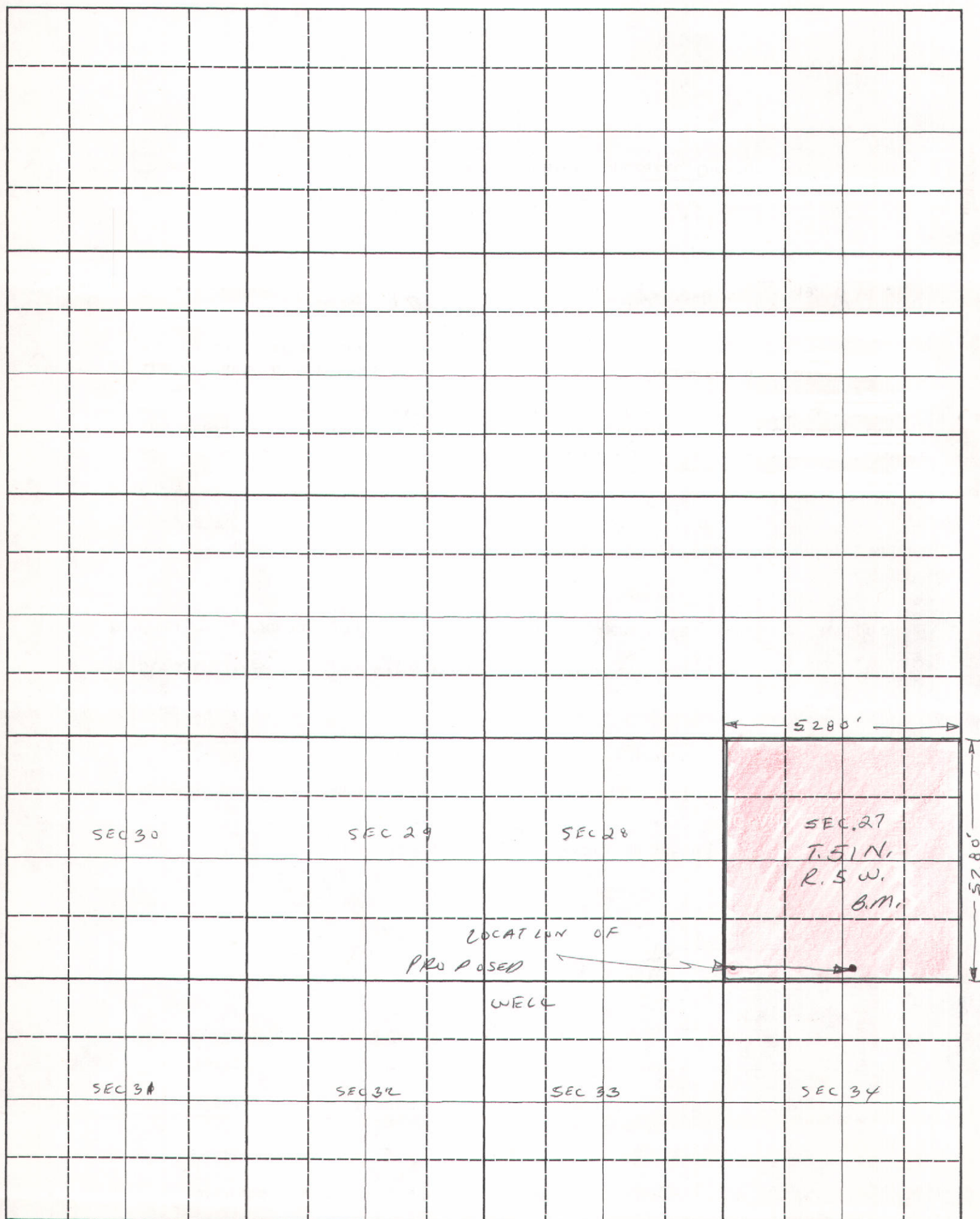
JM.

REVISED

gary y.

CITY OF POST FALLS

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.

SEE ATTACHED VICINITY MAP FOR PLACE OF USE.

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.

John M. Munn
(Applicant)

PUBLIC WORKS DIRECTOR
FOR THE CITY OF POST
FALLS, IDAHO

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

95-8047

HALDAMAN, WILLIAM C. &/or BARBARA

RT. 3 BOX 3124, RATHDRUM, ID 83238

Source: UNNAMED STREAM tributary to HAUSER LAKE SPRING

Date Filed: 08/07/1980

Amount: 0.06 CFS

Diversion Point: SENW Sec 01 T

51N R 06W, KOOTENAI Co.

Use: STOCKWATER (0.01 CFS)

from 01/01 to 12/31; DOMESTIC

(0.04 CFS) from 01/01 to 12/31

Place of Use: SENW Sec 01 T 51N

R. 06W

Diversion Means: COLLECTION BOX AND PIPELINE

95-8048

CITY OF POST FALLS

P. O. Box 789, 408 N. SPOKANE

ST., POST FALLS, ID 83854

Source: GROUNDWATER

Date Filed: 08/11/1980

Amount: 4.91 CFS

Diversion Point: SWSE Sec 27 T

51N R 05W, KOOTENAI Co.

Use: MUNICIPAL (4.91 CFS)

from 01/01 to 12/31

Diversion Means: WELL

Place of Use: Located within the city limits of Post Falls.

95-8049

MURRELL, G. DON

ACHENBACH, MICHAEL J.

HOLLIDAY, ROBERT E.

C/O HIGHLAND CONCRETE, P.

O. BOX 1055, HAYDEN LAKE,

ID 83835

Source: GROUNDWATER

Date Filed: 08/13/1980

Amount: 0.27 CFS

Diversion Point: SESE Sec 13 T

52N R 04W, KOOTENAI Co.

Use: COMMERCIAL (0.27 CFS)

from 01/01 to 12/31

Place of Use: SESE Sec 13 T 52N

R. 04W

Diversion Means: WELL AND PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id. 83814 on or before SEPTEMBER 8, 1980.

C. STEPHEN ALLRED
Director

Legal 254

Aug. 21, 28, 1980

STATE OF IDAHO,
County of Kootenai,

} ss.

Jenna Armstrong 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 Application

of which the annexed is a printed copy, was published in the regular Times issue of said newspaper for 2 consecutive weeks, commencing on the 2nd day of Aug, 1980, and ending on the 28th day of Aug, 1980, and such publication was made as often during said period as said 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 28th day of Aug, 1980.

AUG 28 1980

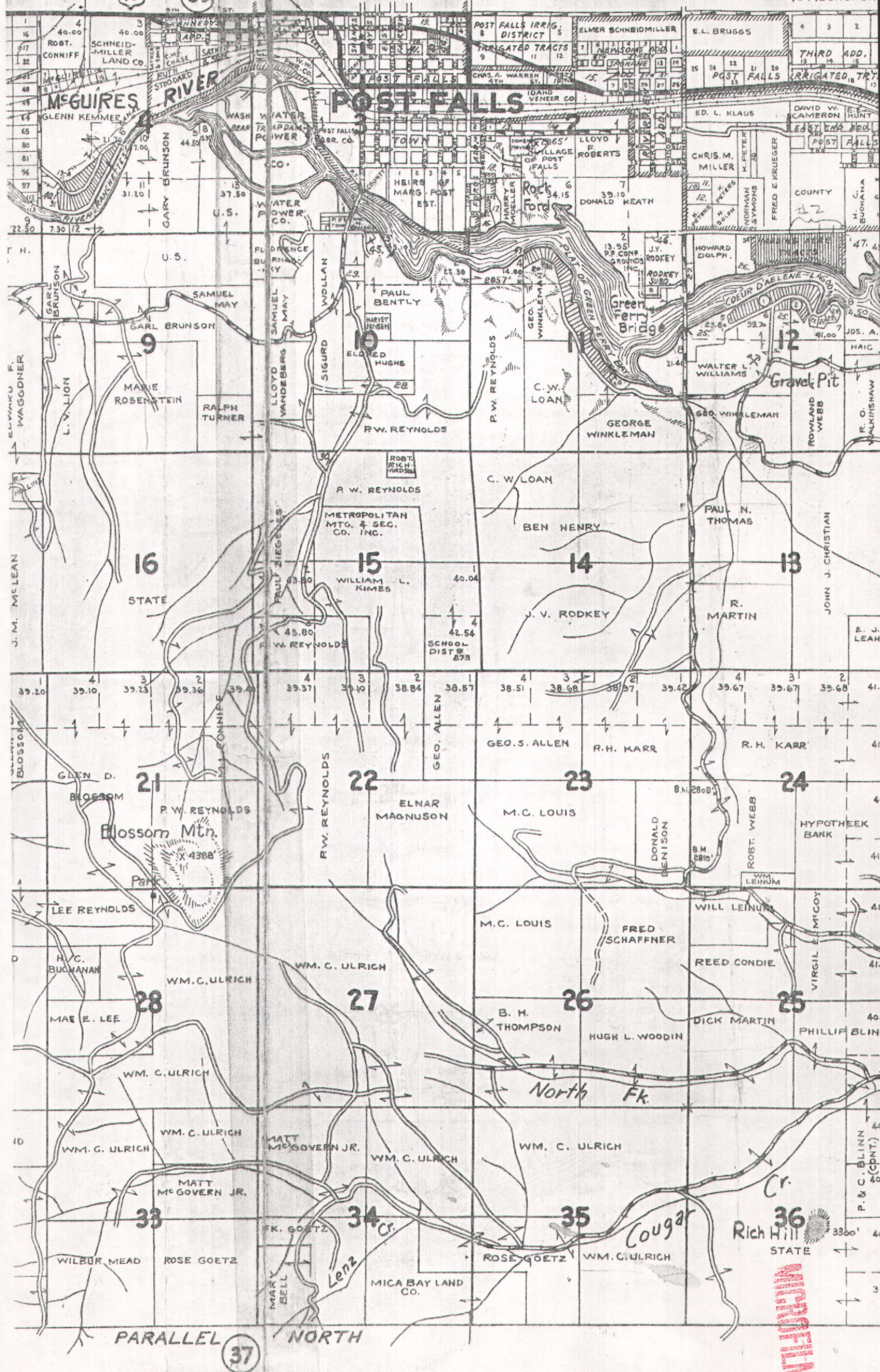
Roberta Zinsley

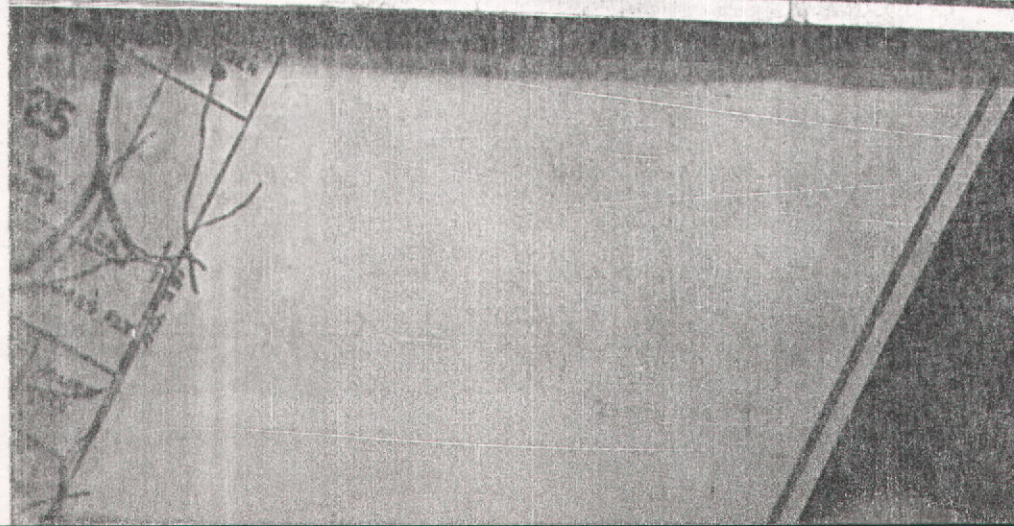
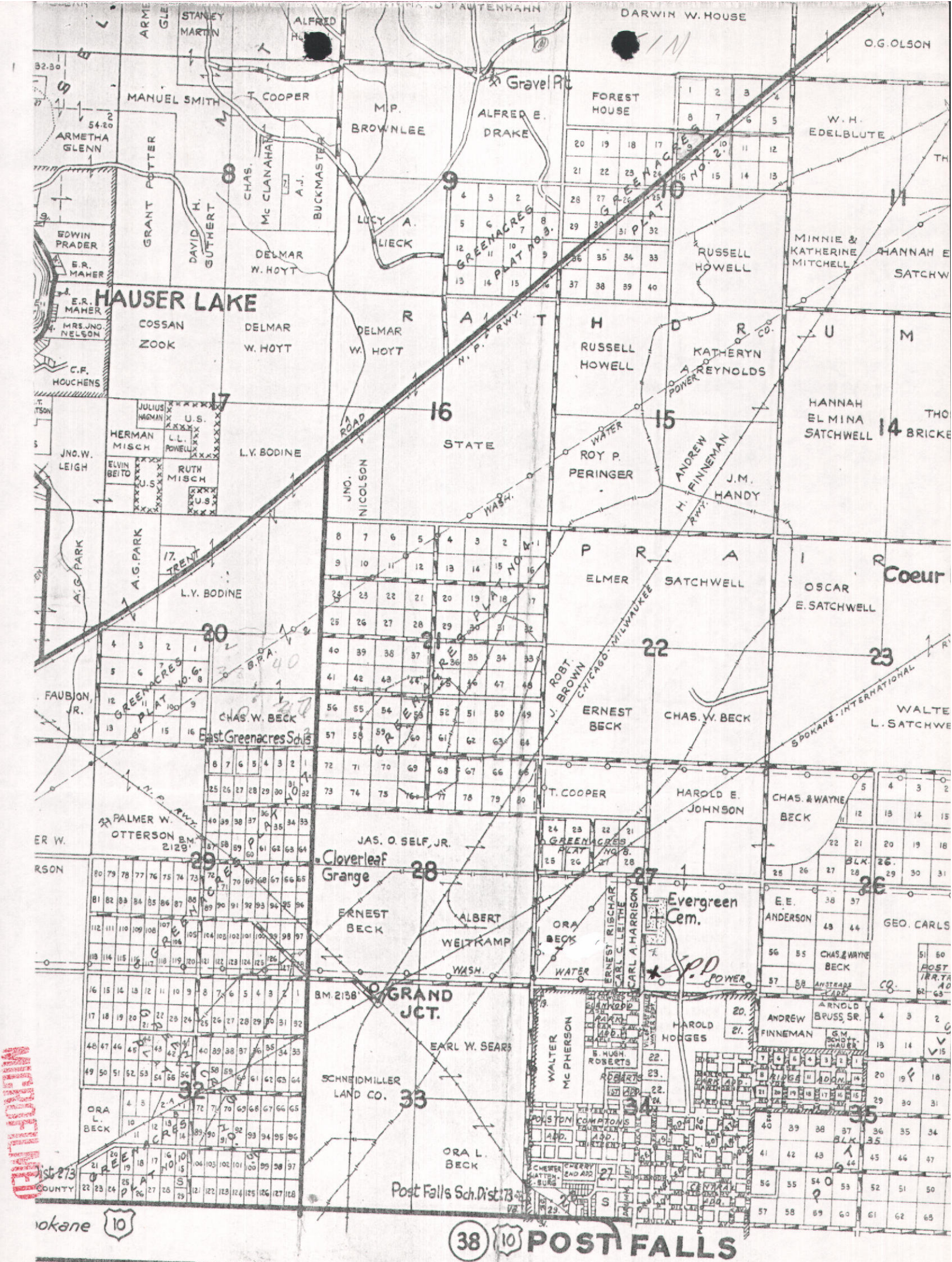
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER

Department of Water Resources
Northern District Office

MICROFILMED





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70678

This is to certify that: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854
(208)777-9857

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
95-4457	WR/Statutory Claim	01/01/1948	1.20 cfs	N/A	N/A	N/A	GROUND WATER
95-4458	WR/Statutory Claim	01/01/1945	1.69 cfs	N/A	N/A	N/A	GROUND WATER
95-4460	WR/Statutory Claim	01/01/1946	2.50 cfs	N/A	N/A	N/A	GROUND WATER
95-7436	WR/License	04/30/1974	4.00 cfs	N/A	N/A	N/A	GROUND WATER
95-8048	WR/License	08/11/1980	3.79 cfs	N/A	N/A	N/A	GROUND WATER
95-8862	WR/License	03/23/1994	4.68 cfs	N/A	N/A	N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>PQU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
95-4457	NO	NO	NO	YES	NO	NO
95-4458	NO	NO	NO	YES	NO	NO
95-4460	NO	NO	NO	YES	NO	NO
95-7436	NO	NO	NO	YES	NO	NO
95-8048	NO	NO	NO	YES	NO	NO
95-8862	NO	NO	NO	YES	NO	NO

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MAR 29 2004

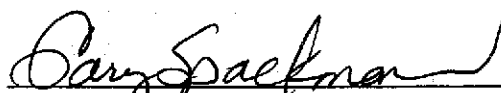
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70678

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
95-4457	95-4457	1.20 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
95-4458	95-4458	1.69 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
95-4460	95-4460	2.50 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
95-7436	95-7436	4.00 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
95-8048	95-8048	3.79 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
95-8862	95-8862	4.68 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		17.86 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of December, 2003



Chief, Water Allocation Bureau

MICROFILMED
MAR 29 2004

WATER RIGHT NO. 95-4457
As Modified by Transfer No. 70678

In accordance with the approval of Transfer No. 70678, Water Right No. 95-4457 is now described as follows.

Right Holder: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Priority Date: August 16, 1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	1.20 CFS	
			1.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 1 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 2 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNW	Sec. 34 Twp 51N Rge 05W KOOTENAI County

MICROFILMED
MAR 29 2004

WATER RIGHT NO. 95-4457
As Modified by Transfer No. 70678

CONDITIONS OF APPROVAL

1. Approval of Transfer 70678 does not confirm Claimed Right 95-4457.
2. The total instantaneous diversion of water from all points of diversion under Rights 95-4457, 95-4458, 95-4460, 95-7436, 95-8048 and 95-8862 shall not exceed 17.86 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 95-4458, 95-4460, 95-7436, 95-8048 and 95-8862 are also diverted through the points of diversion described above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of December, 2003


Chief, Water Allocation Bureau

MICROFILMED
MAR 29 2004

WATER RIGHT NO. 95-4458
As Modified by Transfer No. 70678

In accordance with the approval of Transfer No. 70678, Water Right No. 95-4458 is now described as follows.

Right Holder: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Priority Date: July 01, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	to 12/31	1.69 CFS	
			1.69 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 1 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 2 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNW	Sec. 34 Twp 51N Rge 05W KOOTENAI County

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MAR 29 2004

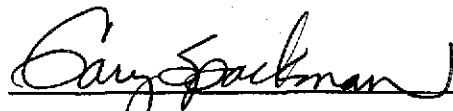
WATER RIGHT NO. 95-4458
As Modified by Transfer No. 70678

CONDITIONS OF APPROVAL

1. Approval of Transfer 70678 does not confirm Claimed Right 95-4458.
2. The total instantaneous diversion of water from all points of diversion under Rights 95-4457, 95-4458, 95-4460, 95-7436, 95-8048 and 95-8862 shall not exceed 17.86 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 95-4457, 95-4460, 95-7436, 95-8048 and 95-8862 are also diverted through the points of diversion described above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of December, 20 03


Chief, Water Allocation Bureau

MICROFILMED

MAR 29 2004

WATER RIGHT NO. 95-4460
As Modified by Transfer No. 70678

In accordance with the approval of Transfer No. 70678, Water Right No. 95-4460 is now described as follows.

Right Holder: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Priority Date: July 01, 1947

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	to 12/31	2.50 CFS	
			2.50 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 1 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 2 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNW	Sec. 34 Twp 51N Rge 05W KOOTENAI County

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MAR 29 2004

WATER RIGHT NO. 95-4460
As Modified by Transfer No. 70678

CONDITIONS OF APPROVAL

1. Approval of Transfer 70678 does not confirm Claimed Right 95-4460.
2. The total instantaneous diversion of water from all points of diversion under Rights 95-4457, 95-4458, 95-4460, 95-7436, 95-8048 and 95-8862 shall not exceed 17.86 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 95-4457, 95-4458, 95-7436, 95-8048 and 95-8862 are also diverted through the points of diversion described above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of December, 2003



Chief, Water Allocation Bureau

MICROFILMED

MAR 29 2004

WATER RIGHT NO. 95-7436
As Modified by Transfer No. 70678

In accordance with the approval of Transfer No. 70678, Water Right No. 95-7436 is now described as follows.

Right Holder: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Priority Date: April 30, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	to 12/31	4.00 CFS	
			4.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 1 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 2 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNW	Sec. 34 Twp 51N Rge 05W KOOTENAI County

MICROFILMED

MAR 29 2004

WATER RIGHT NO. 95-7436
As Modified by Transfer No. 70678

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 95-4457, 95-4458, 95-4460, 95-7436, 95-8048 and 95-8862 shall not exceed 17.86 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 95-4457, 95-4458, 95-4460, 95-8048 and 95-8862 are also diverted through the points of diversion described above.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of December, 2003



Chief, Water Allocation Bureau

MICROFILMED

MAR 29 2004

WATER RIGHT NO. 95-8048
As Modified by Transfer No. 70678

In accordance with the approval of Transfer No. 70678, Water Right No. 95-8048 is now described as follows.

Right Holder: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Priority Date: August 11, 1980

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	1/01	to 12/31	3.79 CFS	
			3.79 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 1 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 2 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNW	Sec. 34 Twp 51N Rge 05W KOOTENAI County

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MAR 29 2004

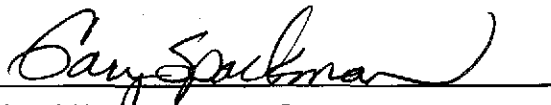
WATER RIGHT NO. 95-8048
As Modified by Transfer No. 70678

CONDITIONS OF APPROVAL

1. Approval of Transfer 70678 does not confirm Claimed Right 95-4457.
2. The total instantaneous diversion of water from all points of diversion under Rights 95-4457, 95-4458, 95-4460, 95-7436, 95-8048 and 95-8862 shall not exceed 17.86 cfs.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Rights 95-4457, 95-4458, 95-4460, 95-7436 and 95-8862 are also diverted through the points of diversion described above.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of December, 2003



Chief, Water Allocation Bureau

MICROFILMED

MAR 29 2004

WATER RIGHT NO. 95-8862
As Modified by Transfer No. 70678

In accordance with the approval of Transfer No. 70678, Water Right No. 95-8862 is now described as follows.

Right Holder: CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Priority Date: March 23, 1994

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
MUNICIPAL	01/01	to 12/31	4.68 CFS	
			4.68 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 1 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 2 Twp 50N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	SWSE	Sec. 27 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NENE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNE	Sec. 34 Twp 51N Rge 05W KOOTENAI County
GROUND WATER	NWNW	Sec. 34 Twp 51N Rge 05W KOOTENAI County

MICROFILMED
MAR 29 2004

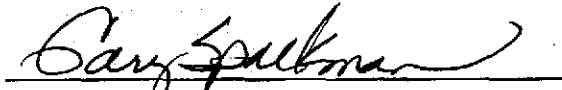
WATER RIGHT NO. 95-8862
As Modified by Transfer No. 70678

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 95-4457, 95-4458, 95-4460, 95-7436, 95-8048 and 95-8862 shall not exceed 17.86 cfs.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Rights 95-4457, 95-4458, 95-4460, 95-7436 and 95-8048 are also diverted through the points of diversion described above.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
7. This right does not grant any right-of-way or easement across the land of another.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 22nd day of December, 2003



Chief, Water Allocation Bureau

MICROFILMED

MAR 29 2004

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-8048 Priority August 11, 1980 Amount 3.79 cfs

THIS IS TO CERTIFY, that City of Post Falls
of Post Falls, Idaho, has complied with the terms and conditions of Permit
No. 95-8048 issued pursuant to Application for Permit dated August 11, 1980,
and has submitted proof to the Department of Water Resources on October 16, 1981,
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 3.79 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>Municipal</u>	from <u>January 1</u> to <u>December 31</u>	at <u>3.79</u> cfs and <u>n/a</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 3.79 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
n/a acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Twp.
51N, Rge. 5W in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			WITHIN THE CITY LIMITS OF POST FALLS																

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 30 day of
December, 19 81.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant CITY OF POST FALLS, IDAHO Phone 1-(208)-773-3511

Post office address P.O. BOX 789 408 N. Spokane Post Falls, Idaho 83854

2. Source of water supply RATHDRUM (Groundwater) RH 9-23-80
~~DRILLED WELL-AQUIFER~~ which is a tributary of -----

3. Location of point of diversion is S.W. 1/4 of S.E. 1/4 of Section 27 Township 51 N

Range 5 W B.M. KOOTENAI County, additional points of diversion if any: -----

NONE

4. Water will be used for the following purposes:

Amount 4.91 for MUNICIPAL purposes from Jan 1 to Dec 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)

Amount ----- for ----- purposes from ----- to ----- (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 4.91 cubic feet per second and/or b. 1000 (est.) acre-feet per annum.
maximum periodic flow

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. D.N.A. Well*

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

Period of year when water will be diverted to storage ----- to ----- inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: Within the city limits of Post Falls*
(1) Give the place of use of water: 1/4 of 1/4 of Section 27 Township -----

Range ----- B.M. SECS. 1,2,3,4,11,12 T. 50 N. R 5 W
SECS. 34,35 T. 51 N. R 5 W

(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 CITY OF POST FALLS, or number of families to be supplied with domestic water 1700, increasing steadily.

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

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[illegible]

Age Group	Percentage of Respondents
18-24	65
25-34	70
35-44	75
45-54	80
55-64	85
65-74	88
75+	90

Who owns the property at the point of diversion H.E. JOHNSON, LEASING AND SELLING TO

H.E. JOHNSON, LEASING AND SELLING TO
THE CITY OF POST FALLS, IDAHO

the applicant, describe the arrangement enabling the

ERTY WHERE WELL IS LOCATED. 29%

DOWN: PAYMENT OF BALANCE IN THREE (3) YEARS.

9.00

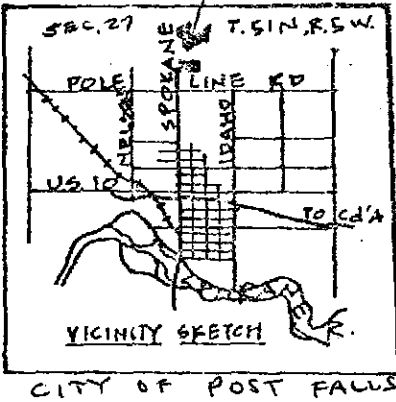
NEW
CEMETERY



600'

444'

PROPOSED
WELL SITE



444'
PROPOSED
WELL SITE

200'

200'

CATHERINE

POLE

LINE ROAD

SPOKANE ST.

1/4 CORNER SEC. 27
T. 51 N.
R. 5 W. B.M.

EXHIBIT FOR PROPOSED WELL

SCALE: 1"=200'

APPROVED

DRAWN BY

DATE: 5-15-80

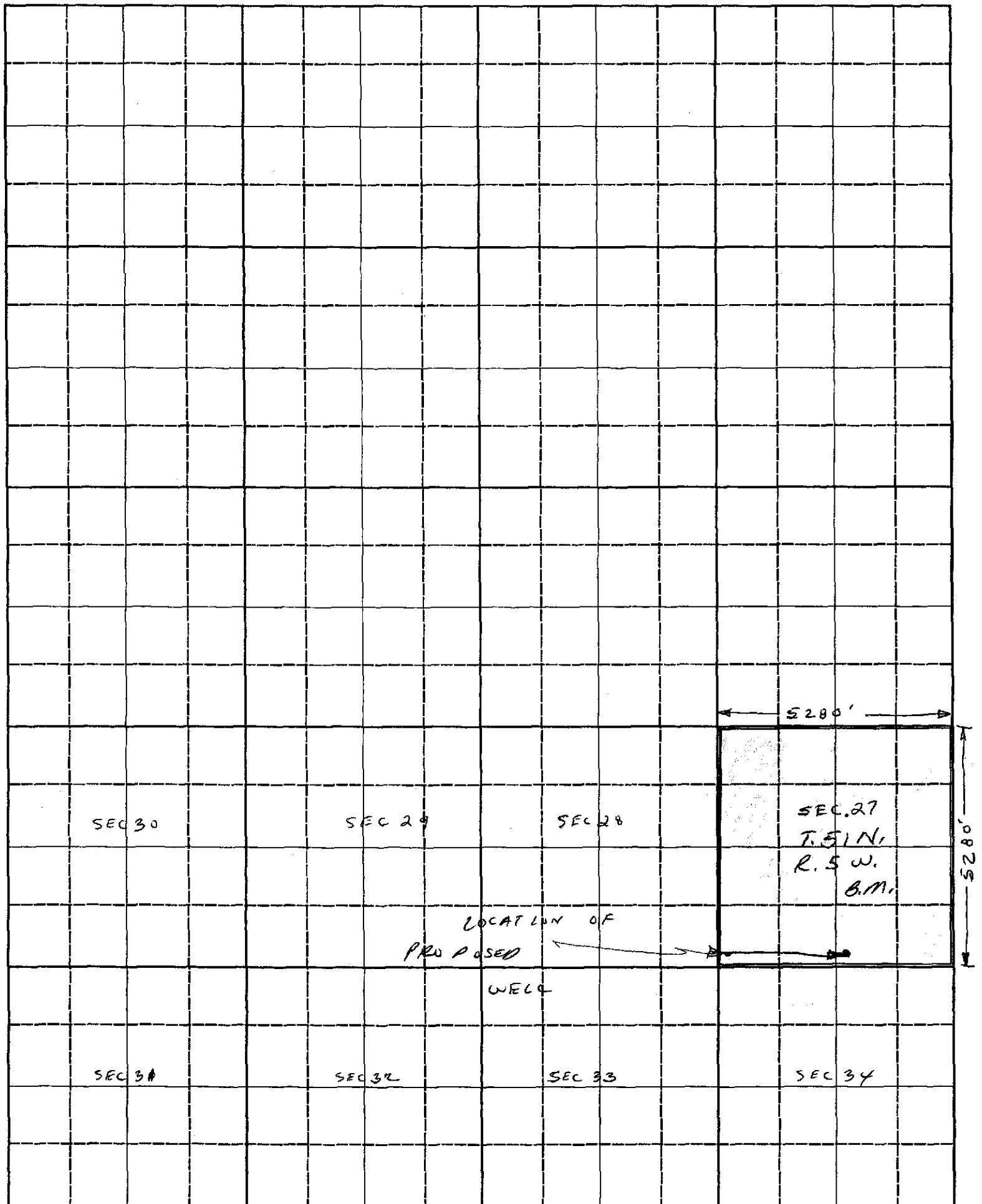
BY: J.M.

REVISED

gary y.

CITY OF POST FALLS

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.

SEE ATTACHED VICINITY MAP FOR PLACE OF USE.

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.

John M. Munn

(Applicant)

PUBLIC WORKS DIRECTOR
FOR THE CITY OF POST
FALLS, IDAHO

Proposed Priority 8/14/80
Received by [Signature] Date 8/14/80 Time 2:00 PM (Gunn)

Preliminary check by [Signature] Fee \$ 15.00

Received by [Signature] Date 8/14/80 (1534)

Publication prepared by [Signature] Date 8/14/80

Published in [Signature] Date 8/21/80

Publication approved [Signature] Date 9/2/80

Protests filed by: [Signature]

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by [Signature]

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. 95-8048, 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 be-

fore December 1, 19 81.

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:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 18th day of November 19 80.

J. Allen Saylor
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

NOTICE ON APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

85-0017

HALDAMAN, WILLIAM C. &/or BARBARA
RT. 3 BOX 312A, RATHDRUM, ID 83858

Source: UNNAMED STREAM tributary to HAUSER LAKE SPRING

Date Filed: 08/07/1980

Amount: 0.60 CFS

Diversion Point: SENW Sec 01 T

51N R 06W, KOOTENAI Co.
Use: STOCKWATER (0.04 CFS) from 01/01 to 12/31; DOMESTIC (0.04 CFS) from 01/01 to 12/31
Place of Use: SENW Sec 01 T 51N R 06W
Diversion Means: COLLECTION BOX AND PIPELINE

85-0048

CITY OF POST FALLS
P. O. Box 780, 400 N. SPOKANE ST., POST FALLS, ID 83854
Source: GROUNDWATER
Date Filed: 08/11/1980
Amount: 4.91 CFS
Diversion Point: SWSE Sec 27 T 51N R 06W, KOOTENAI Co.
Use: MUNICIPAL (4.91 CFS) from 01/01 to 12/31
Diversion Means: WELL
Place of Use: Located within the city limits of Post Falls.

85-0049

MURRELL, G. DON
ACHENBACH, MICHAEL J.
HOLLIDAY, ROBERT E.
C/O HIGHLAND CONCRETE, P. O. BOX 1088, HAYDEN LAKE, ID 83836

Source: GROUNDWATER
Date Filed: 08/13/1980

Amount: 0.27 CFS

Diversion Point: SESE Sec 13 T

52N R 04W, KOOTENAI Co.

Use: COMMERCIAL (0.27 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 13 T 52N R 04W

Diversion Means: WELL AND PUMP.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the director of the Idaho Department of Water Resources, 4085 Gov't Way, Coeur d'Alene, Id, 83814 on or before SEPTEMBER 8, 1980.

C. STEPHEN ALLRED
Director

Legal 254
Aug. 21, 1980

STATE OF IDAHO,
County of Kootenai,

ss.

Jordan A. [Signature] 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 Application

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks, commencing on the 25th day of August, 1980, and ending on the 28th day of August, 1980, and such publication was made as often during said period as said 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 28th day of August, 1980.

Roberta [Signature]

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

LEADER

MICROFILMED

Transfer 70678 Reference Sheet

DATE: December 23, 2003

TO: File(s) 95-4458, 4460, 7436, 8048, 8862

**Original Transfer Application form,
correspondence and review documents
regarding Transfer 70678 are located within
Water Right file 95-4457.**

MICROFILMED

MAR 29 2004

Transfer 70678 Reference Sheet

January 28, 1982

RE: Permit No. 95-8048

City of Post Falls
P.O. Box 789
Post Falls, ID 83854

Gentlemen:

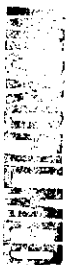
Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

December 7, 1981

RE: Permit No. 95-8048

City of Post Falls
P.O. Box 789
Post Falls, ID 83854

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 95-8048, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 3.79 cfs Source: groundwater

The maximum quantity diverted shall not exceed n/a acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, Twp. 51N, Rge. 5W, Kootenai County

Beneficial use: Municipal use within the city limits of Post Falls.

Priority date established: August 11, 1980

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

RECEIVED
DEC 10 1981
WATER RESOURCES
DIVISION

NOV 18 1981

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources

95-8048

Permit No.

CONTACT WITH PERMIT HOLDER

DATE _____

INITIALS

REMARKS

- ☐ Appointment letter mailed: _____
- ☐ Telephone call made: _____
(List Telephone No. used) _____
- ☐ Appointment scheduled for: _____
(Date, time, location) _____

EXAMINATION

Date 11-3-81 Accompanied by Harold Johnson Total Q measured 1700 gpm

If source is surface water, estimate total flow of source _____

Methods of measurement METER Meets Permit requirements?

Measurement calculations:

$$\frac{1700}{448.8} = 3.79 \text{ cfs capacity}$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	200	US	R-6349	06-997	R2140958-M			
				Pecrless	FR-2726	MSCrometer	Good	

System Description 16" x 300' well with 16" pipe to 200 Hp Motor & pump to &
12" Main to 500,000 gal storage tank and 12" gravity flow to
place of use

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE

Irrigation requirement = _____ AFA/Acre

Q (cfs)

V (afa)

FROM

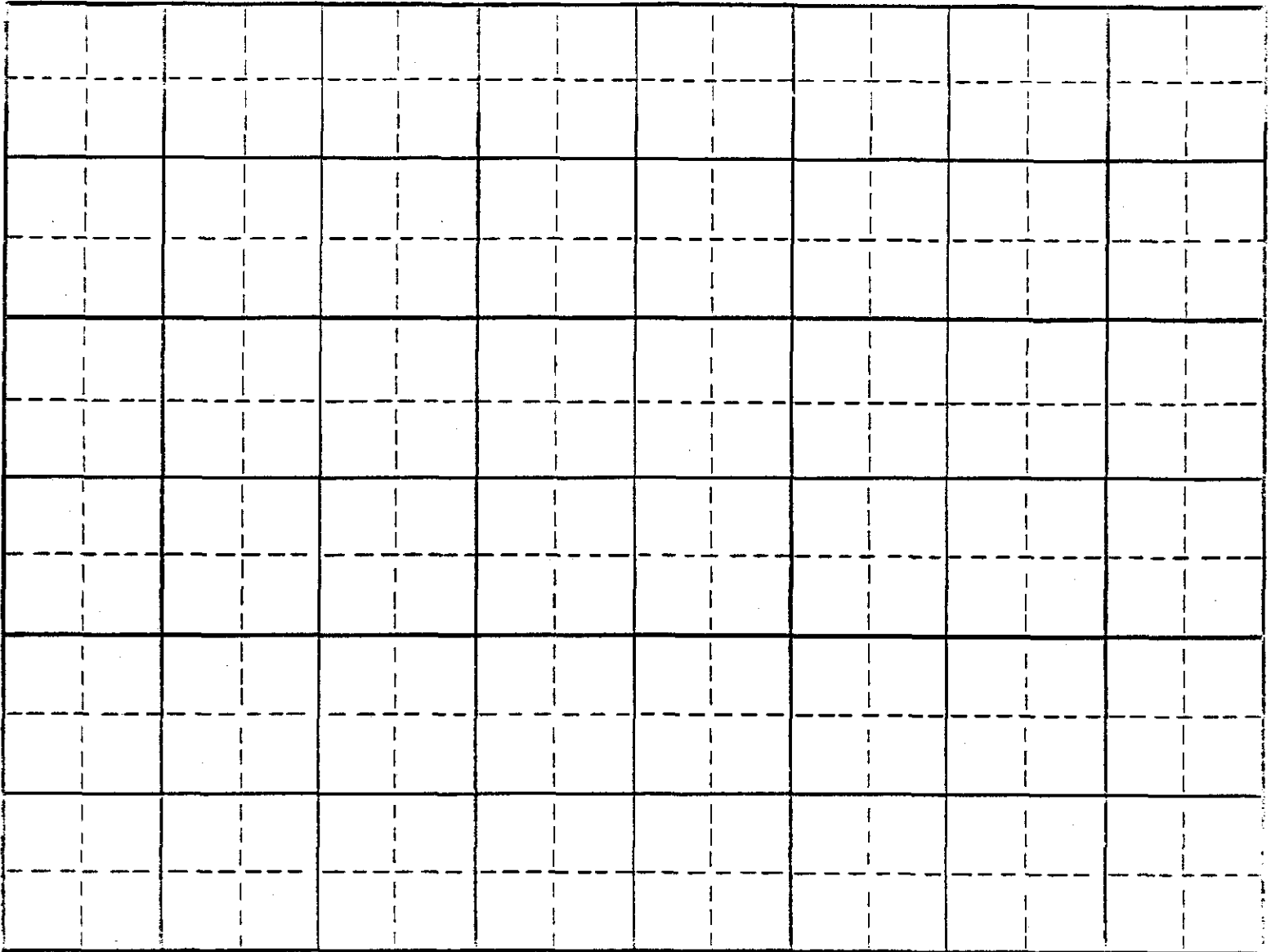
TO

	Amount	Account	Month	Date
Municipal	3.79 ✓	N/A	1-1	12-31
Total	3.79 ✓	N/A		

Remarks

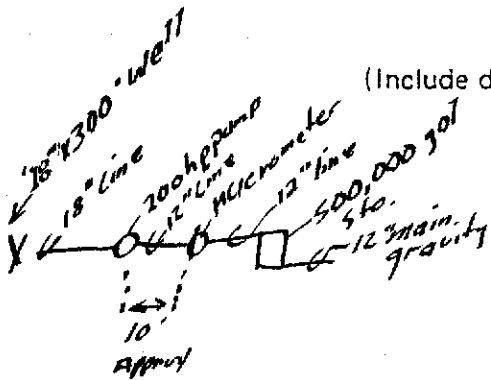
RECEIVED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SW 1/4, Sec 27-5N R5W

Place(s) of Use

TWP.	RGE.	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	
			City of Post Falls																

Recommended Amendments:

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

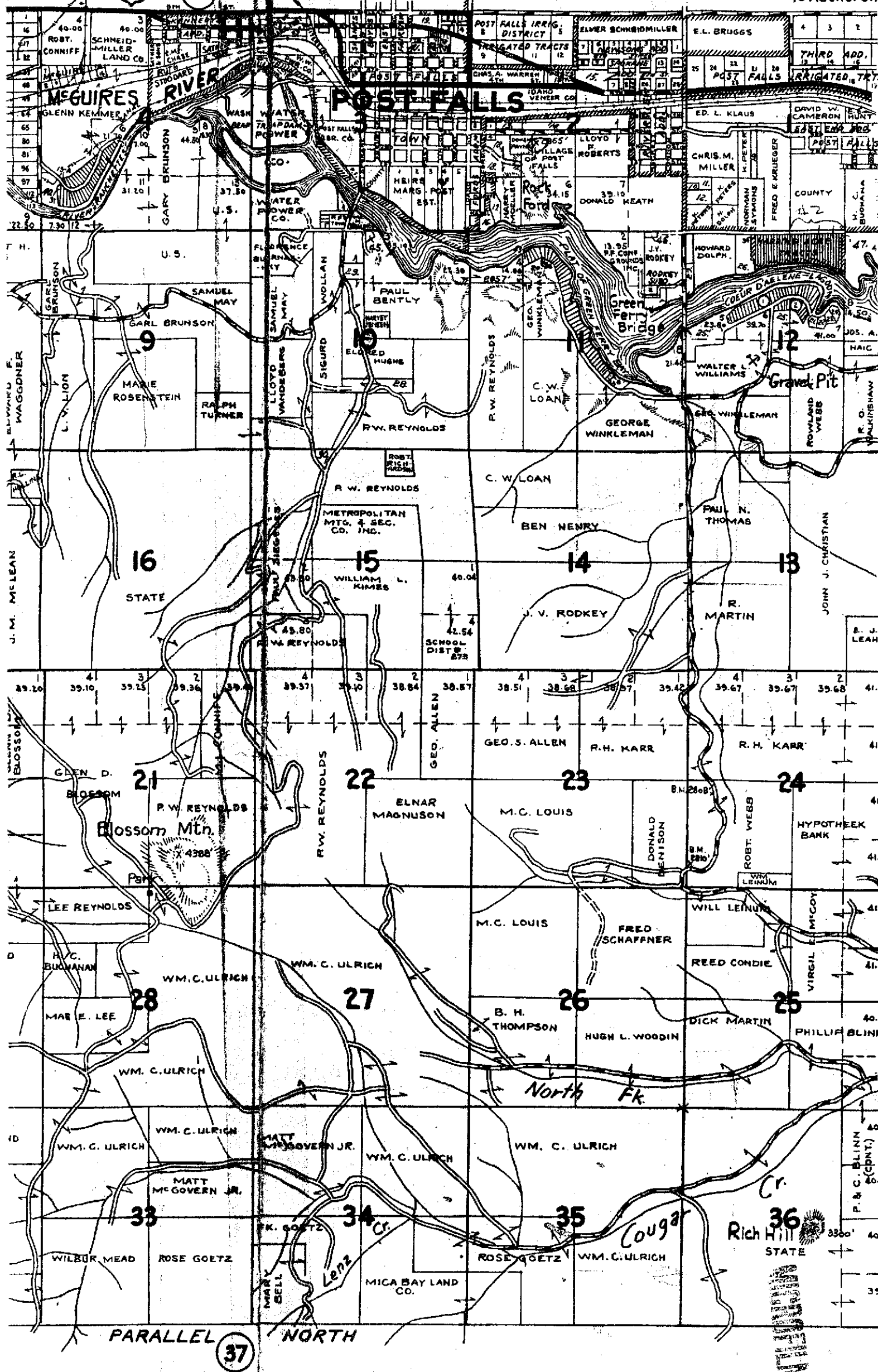
Examiner's Signature: [Signature]
 Checked by: Bob Haynes
 Approved by: [Signature]

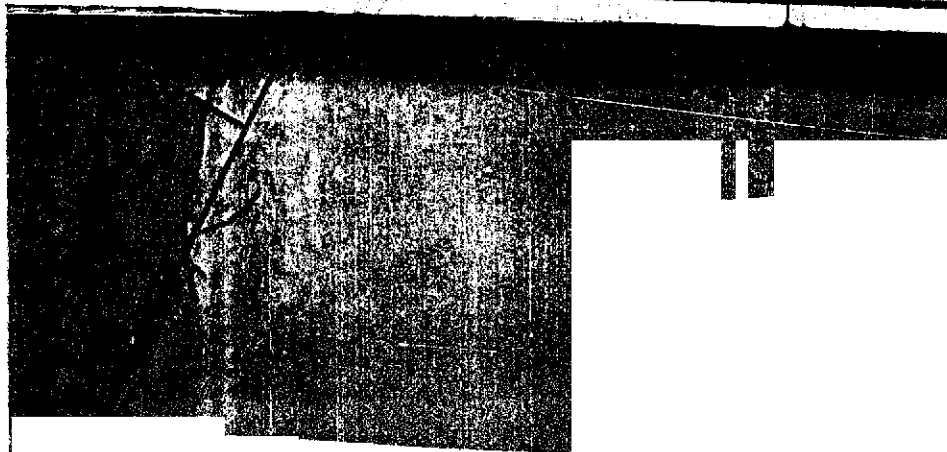
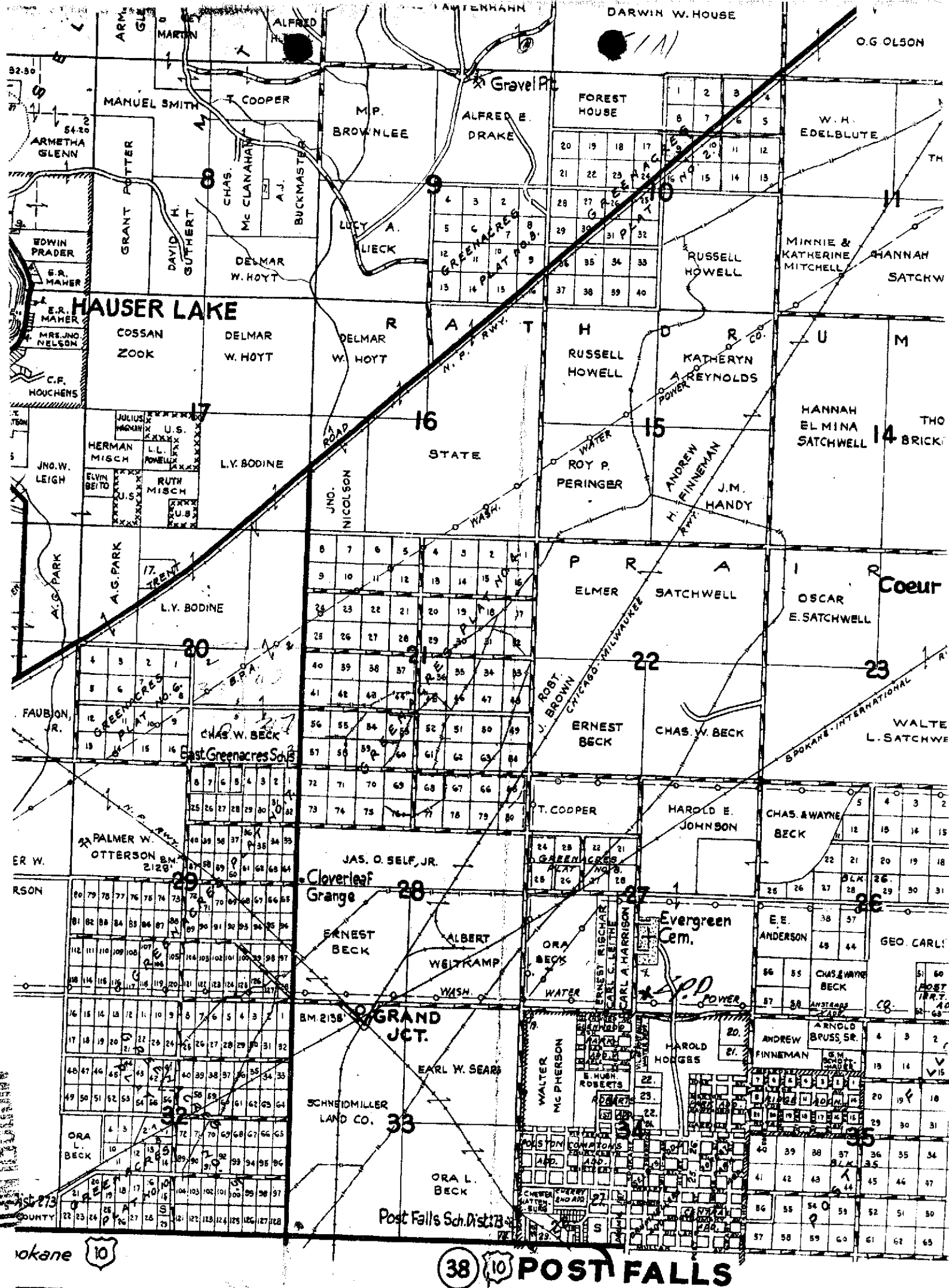
Date: 9-11-81
 Date: 11/13/81
 Date: 11/25/81

RECEIVED

10 39

To Rathdrum





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

November 2, 1981

City of Post Falls
P. O. Box 789
Post Falls, Id. 83854

RE: 95-8048

Gentlemen:

We acknowledge receipt of your statement of completion of water development and 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 do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/fms

cc: IDWR - State Office

RECEIVED
NOV 11 1981
IDWR

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below of Permit No. 95-8048

Name(s) of Permit Holder: City of Post Falls

Post Office Address: P.O. Box 789

Post Falls, Idaho 83854

Tel. No. 773-3511

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other Municipal Use

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

Access Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

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

10/13/81

Date

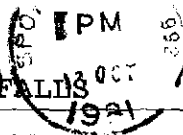
Marilyn J. Fehling

Marilyn J. Fehling City Clerk
Signature of Permit Holder

CITY OF POST FALLS

P.O. BOX 789

POST FALLS, ID. 83854



RECEIVED

OCT 16 1981

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138882

CITY OF POST FALLS
P.O. BOX 789
408 N. SPOKANE ST.
POST FALLS, ID 83854

SEPTEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-8048 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

RECEIVED

WATER RIGHT NUMBER 95-8048

OWNER LAST NAME - CITY OF POST FALLS
ADDRESS LINE 1 - P.O. BOX 789
ADDRESS LINE 3 -
SOURCE - GROUNDWATER
STAGE - LICENSE
TOTAL DIV. VOLUME - .00 AFA
DIVERSION POINT - SWSSE 27 51W 05W LOT
FROM - 01-01 TO - 12-31 USE - MUNICIPAL
USE -
DEGREE NAME -
REMARKS - P/U LOCATED WITHIN THE CITY LIMITS OF POST FALLS.
X -> MUN IRRIG USE - W/APPROX. 1700 HOMES.
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 12-01-1981 PERMIT/DENIED - 11-18-1980 PROTESTED -
PROOF MADE - P FUD EXAM - COND. OF APPROVAL - 04 01C
DIVERSION MEANS - WELL.

FIRST NAME -
ADDRESS LINE 2 - ~~400~~ N. SPOKANE ST.
CITY - POST FALLS
PRIORITY - 08-11-1980
COUNTY - KOOTENAI
STATE - ID
ZIP CODE - 83854
ORIG OWNER -
DATE -
TOTAL ACRES - 0

TRIBUTARY OF -
PRIORITY - 08-11-1980
COUNTY - KOOTENAI
STATE - ID
ZIP CODE - 83854
ORIG OWNER -
DATE -
TOTAL ACRES - 0

USE DIV. RATE - 3.79
CFS
USE DIV. VOLUME - .00 AFA

HEARING -
OLD NO. -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

CITY OF POST FALLS
P.O. BOX 789
408 N. SPOKANE ST.
POST FALLS, ID 83854

DECEMBER 04, 1980

RE: PERMIT NO. 95-8048

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING 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

ENCLOSURE

MICROFILMED

Delbert E. Ottfinger

ATTORNEY AT LAW

(208) 773-3559

POST FALLS PROFESSIONAL CENTER

SUITE 205

P.O. BOX 667

POST FALLS, IDAHO 83854

October 28, 1980

RECEIVED

OCT 30 1980

Department of Water Resources
Northern District Office

Mr. Robert Haynes
Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

RE: City of Post Falls, Water Appropriation Permit
Application - New North Well

Dear Mr. Haynes:

In accordance with our several phone conversations reference the above, I am writing you to set the record regarding the corporate status of the City of Post Falls.

As you are aware, the Idaho Secretary of State has indicated that no Municipal Articles of Incorporation are on file there, which would substantiate the municipal corporate status of the City. However, a reading of the Post Falls Municipal Code Section 1-2-1, (copy enclosed), will support that corporate status in-so-far as the referenced section is but a verbatim transcript of the Board of County Commissioners' session wherein it was declared that Post Falls is a municipal corporation. I am satisfied that this Order is on file with the Kootenai County Clerk in the records for the year 1891.

The Idaho State statute then applicable to municipal corporations may not have required a copy of that resolution to have been filed with the Idaho Secretary of State. As best as I can tell, the requirement of filing with the Secretary of State is only as old as 1967.

Based on the above, I am satisfied that the City of Post Falls is a municipal corporation, and has been for some 89 years. I would therefore ask that the City's water right application be treated as a "municipal" use and afforded the rights and distinctions accorded therewith.

Thank you.

Very truly yours,

DELBERT E. OTTFINGER
Post Falls City Attorney

DEO:ge

cc: Mr. John Aguilar,
City Administrator

MICROFILMED

CHAPTER 2

ORDER CREATING VILLAGE

SECTION:

1-2-1: Order Creating Village

1-2-1: ORDER CREATING VILLAGE:

Special Meeting May 28, 1891.

Board of County Commissioners of Kootenai County, Idaho, met pursuant to a call in Special Session on Thursday May 28, 1891 at 10 o'clock A.M.

Present Commissioners: W. J. Pilling
Chas. L. Daggett
S. L. Smith

Clerk: Robt. Pragaw

In the matter of Incorporation)
of the Town of Post Falls.) ss.
)

On motion of S. L. Smith seconded by Charles L. Daggett. It is hereby declared that the Town of Post Falls, with boundaries as follows be and the same is hereby Incorporated as per amended. Petition of file: Under the name and state of the Town of Post Falls, Kootenai County, Idaho.

(Boundaries) Beginning at the northwest corner of Section numbered thirty-three (33) in Township numbered fifty-one (51) north of range five (5) west of the Boise Meridian, Kootenai County, Idaho, running thence in an easterly direction four (4) miles along the north lines of Section 33, 34, 35 and 36 to the northeast corner of Section 36: thence southerly, along the east line of Sections 36, 1 and 12 to the Spokane River: thence westerly along the north shore or boundary of Spokane River to the west line of Section numbered four (4): thence northerly along the west line of Section four (4) and thirty-three to the place of beginning and Thomas Ford, W. J. Butterfield, C. M. Brown, W. S. Tatom and C. W. Walizer are hereby appointed as Trustees for said Town of Post Falls until their successors are elected and qualified.

(Revised Code 1958)

MICROFILMED

ROUTING SLIP

DATE 10/1/80 TIME _____

TO: Bob H. REF. No. (if any) _____
 FROM: (show title) Jim _____

FOR YOUR:

- ☐ Information
- ☐ Approval
- ☐ Signature

REVIEW AND:

- ☐ Call Me ☐ See Me
- ☐ Comment & Return
- ☐ Take Proper Action
- ☐ Draft a Reply for Me

PER:

- ☐ Our Conversation
- ☐ Your Request
- ☐ Boss's Request

Hi Bob, I am afraid
 we can't accept this
 Application in its present
 form because Post Falls
 is not incorporated.

See Admin Memo dated

11/5/79

See letter from P F
 Attorney *Bob*
 MICROFILMED
OK approve w/ manager for

ROUTING SLIP

DATE 9/24/80 TIME _____TO: Robyn REF. No. (if any) _____FROM: (show title) Jim _____

FOR YOUR:

- ☐ Information
- ☐ Approval
- ☐ Signature

REVIEW AND:

- ☐ Call Me ☐ See Me
- ☐ Comment & Return
- ☐ Take Proper Action
- ☐ Draft a Reply for Me

PER:

- ☐ Our Conversation
- ☐ Your Request
- ☐ Boss's Request

Check w/ SECRETARY
OF STATE OFFICE TO
SEE IF POST FALLS
IS INCORPORATED

Please let me know
what you find out.

Post Fall is NOT INCORPORATED

Robyn 9/24

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK

APPLICATION NUMBER: 95-8048

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: me Date: 8/19/80

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: 9/8/80 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/29/80 ✓
☒ 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? _____
☒ Date of priority recommended: 8/17/80
Special conditions of approval or cover letter. _____

By: RVA Date: 9/9/80

STATE OFFICE REVIEW:

return receipt w/ cover letter Gov item 2, 8A, 6A

SLW/L03 OH, OIC

- ☐ See attached sheet for more information.

By: Kobayashi Date: 9/23/80

95-8048-

CITY OF POST FALLS

P.O. BOX 789, 408 N. SPOKANE ST., POST FALLS, ID 83854

Source: GROUNDWATER

Date Filed: 08/11/1980

Amount: 4.91 CFS

Diversion Point: SWSE Sec 27 T 51N R 05W, KOOTENAI Co.

Use: MUNICIPAL (4.91 CFS) from 01/01 to 12/31

Diversion Means: WELL.

Place of Use: Located within the city limits of Post Falls.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

August 19, 1980

Mr. Dave Johann
Divn. of Environment
2110 Ironwood Parkway
Coeur d'Alene, Idaho 83814

RE: 95-8048

Dear Dave:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Department of Water Resources.

Very truly yours,

Robert G. Haynes, P.E.
Regional Supervisor

RGH/pms

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

July 24, 1980

Mr. John R. Molsness
City of Post Falls
P. O. Box 789
Post Falls, Idaho 83854

Dear Mr. Molsness:

We are returning your application for a permit to appropriate the public water of the State of Idaho and your Check No. 92-197 for \$75.00.

As of July 1, 1980, the filing fee for 4.91 cfs of water increased to \$125.00

Please return the application along with the necessary filing fee.

Sincerely,

KENNETH KNOBLOCK
Senior Water Resource Agent

KK/pms

Enc. - Application
Check

SEND BACK
WITH CHECK FOR TOTAL
ADDED 4.50
FOR 4.125

John Aguilar

MICROFILMED