

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY)

RECEIVED

JUN 15 1972

STATE OF IDAHO,

County of Kootenai, } ss.

864

Callie Pautner

deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

Notice of Correction

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *8* day of *June*, 19*72*, and ending on the

15 day of *June*, 19*72*

Callie Pautner

Subscribed and sworn to, before me, this *15* day of *June*,

19 *72*

Patrick King

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

Department of Water Administration

NOTICE OF CORRECTION

Notice is hereby given that Application No. 94-7024 in the name of Merlin J. Hymas was advertised incorrectly on April 13 and April 20, 1972. The point of diversion and place of use were advertised as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3E, B.M. Whereas, the actual point of diversion and place of use are within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3W, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

June 8, 15, 1972

94 7024

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY)

STATE OF IDAHO, }
County of Kootenai, } ss.

Callie Painter, being first duly sworn,
deposes and says:

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newspaper on Wednesdays; and that the

Notice of Application for Water Permit - Merlin J. Hymas

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for two consecutive weeks, commencing

on the 13 day of April, 1972, and ending on the

20 day of April, 1972

Subscribed and sworn to, before me, this 20 day of April

1972

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

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Merlin J. Hymas, Route No. 3, Box 658-B, Coeur d'Alene, Idaho has on April 4, 1972 submitted Application No. 94-7024 for a permit to appropriate 0.02 cubic feet per second of water from Hayden Lake by means of pipe and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3E, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, 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, Statehouse, Boise, Idaho, 83707, on or before May 1, 1972.

R. KEITH HIGGINSON
Director

April 13, 20, 1972

94 7024

LEGAL

94-7024

CALLED
CORRECTED
6/6/72
CL

NOTICE OF CORRECTION

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R. KEITH HIGGINSON
Director

June 8, 15, 1972

94 7024

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7970
~~94-7024~~ Priority April 4, 1972 Amount 0.02 cfs

THIS IS TO CERTIFY, that MERLIN J. HYMAS
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 94-7024 issued pursuant to Application for Permit dated April 4, 1972,
and has submitted proof to the Department of Water Resources on May 3, 1977,
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 Hayden Lake,
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> from <u>January 1</u> to <u>December 31</u> at <u>0.02</u> cfs and <u>0.6</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 0.02 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
0.6 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, Twp 51N,
Rge. 3W, B.M., 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 $\frac{1}{4}$	
51N	3W	21															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 26 day of
July, 19 79.

Deputy Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 94-7024

IN THE NAME OF MERLIN J. HYMAS

ORDER OF REINSTATEMENT

WHEREAS, on April 4, 1972, Merlin J. Hymas filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 0.02 cubic feet per second of water from Hayden Lake, to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, Twp. 51N, Rge. 3W, B.M., Kootenai County, to be used for domestic purposes; and,

WHEREAS, ON July 19, 1972, the Department approved said application and issued Permit No. 94-7024 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before July 1, 1977; and,

WHEREAS, on April 29, 1977, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on May 3, 1977, the Northern Regional Office received the required proof of beneficial use of water; and,

WHEREAS, on July 13, 1977, the State Office inadvertently lapsed the permit; and,

WHEREAS, on July 18, 1977, the State Office received the proof from the Northern Regional Office;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 94-7024 be REINSTATED without a loss of priority.

Dated this 19 day of August, 1977.


BOBBY D. FLEENOR
Chief, Operations Bureau

Identification No. 94-7024

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant MERLIN J. HYMAS
post office address Route #3 Box #658-B Coeur d'Alene, Idaho 83814
2. Source of water supply Hayden Lake which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 51 N
Range 3 E B.M. Kootenai County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into septic tank & drain field at a point in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 51 N Range 3 E B.M. Kootenai
4. Water will be used for the following purposes:
Amount 0.02 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. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
3/4" pipe from lake to pump

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 5 years.
b. Estimated construction cost is \$ 300.00.
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 SE $\frac{1}{4}$ of Section 21 Township 51 N
Range 3 E B.M. Kootenai County
W PER TELEPHONE CONVERSATION 5/27/72
(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: residential use only

94 7024

7024

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	S¼	E¼	NE¼	NW¼	S¼	E¼	NE¼	NW¼	S¼	E¼	NE¼	NW¼	S¼	E¼
TOTALS			NE¼	NW¼	S¼	E¼	NE¼	NW¼	S¼	E¼	NE¼	NW¼	S¼	E¼	NE¼	NW¼	S¼	E¼

Total number of acres to be irrigated.

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

applicant

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

applicant

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

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

94 7024

Director

Witness my hand this 19 day of July, 19 72.

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

c. Other:

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 72.

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

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 94-7024, and said application is hereby APPROVED.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

Recommended for approval denial by Date

Copies of protests forwarded by

Protests filed by:

42-202, I.C.

Priority reduced to 4-4-72 Reason Fees and form.

Publication approved 4-4-72 Date 5-4-72

Publication dates 4-13 & 4-20-72

Published in Coeur d'Alene Press

Publication prepared by CR Date 4-7-72

Received by 4-4-72 Date 4-4-72

Preliminary check by 4-4-72 Fee \$ 10.00

Received by 4-4-72 Date 3-27-72 Time 8:00 A

CORRECTION:
6-8 + 6-15-72
CR 7-10-72

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY)

RECEIVED

STATE OF IDAHO,

County of Kootenai,

ss.

Callie Fayntner

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deposes and says:

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19 *72*

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Department of Water Administration

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R. KEITH HIGGINSON
Director

June 8, 15, 1972

94 7024

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1972

C. Patrick King

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

10.44

FOR WATER PERMIT

Notice is hereby given that Merlin J. Hymas, Route No. 3, Box 658-B, Coeur d'Alene, Idaho has on April 4, 1972 submitted Application No. 94-7024 for a permit to appropriate 0.02 cubic feet per second of water from Hayden Lake by means of pipe and pump within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3E, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, 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, Statehouse, Boise, Idaho, 83707, on or before May 1, 1972.

R. KEITH HIGGINSON
Director

April 13, 20, 1972

94 7024

WATER RIGHT NUMBER 95-7970

WATER RIGHTS EDIT REPORT

12/21/79

PAGE 144

ACT
ION

N OWNER LAST NAME - HYMAS
N ADDRESS LINE 1 - RT. 3 BOX 658B

FIRST NAME - MERLIN J.

N SOURCE - HAYDEN LAKE

CITY - COEUR D ALENE

STATE - ID ZIP CODE - 83814

N STAGE - LICENSE

PRIORITY - 04-04-1972 COUNTY - KOOTENAI TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - SWSE 21 51N 03W

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0200CFS

N USE - DOMESTIC

PLACE OF USE - TWN 51N RNG 03W SEC 21 TRACT NWSE

N REMARKS - REINSTATED 8-19-1977.

N PROOF DUE - 07-01-1977 PERMIT/DENIED - 07-19-1972

N PROOF MADE - P FLD EXAM - F

** W ** PROOF DUE YEAR SHOULD NOT BE LESS THAN CURRENT YR.

N DIVERSION MEANS - PUMP & PIPELINE.

IDENT. NO. 95-7970

WATER RIGHT
DATA ENTRY LOG

[illegible]

IDENT. NO.

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 94-7024
 OTd No. _____ New No. _____

Record

1. Original Owner: Merlin J. Hyman

Present Owner: _____

2. Address: Rt. 3 Box 658B

3. City: Coeur d Alene State: Id Zip: 83814

4. A. Source of Water: Hayden Lake

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 4-4-1972

D. County: 55

E. Total Diversion Rate: .02

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>21</u>	<u>51N</u>	<u>3W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for D purposes. Amount .02
 (cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

surgeon to church

G. Field Exam Made (P, R, F or blank): F

F. Proof Made (P or blank): P

E. Old Number:

D. Hearing Date:

C. Protested Date:

B. Date Permit Approved or Denied: 7-19-1972

13. A. Proof Due Date: 7-1-1977

12. Other Rights for Same Use:

11. Other uses (Non-irrigation explanatory information):

E.
D.
C.
B.

10. Remarks: A. Reinstated 8-19-1977.

B. Decree Date:

9. A. Decree Name:

[illegible]

8. Use code: D

62-61-2 YD



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

Merlin H. Hymas
Route 3, Box 6580B
Coeur d'Alene, ID 83814

Dear Mr. Hymas:

RE: Water Right No. 94-7024

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

AUG 30 1977

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Department of Water Resources
Northern District Office

Name of permit holder Merlin J. Hymas ID 83814

Post office address Route #3, Box #658-B, Coeur d'Alene, ID Phone

Person to contact Merlin J. Hymas Phone

2. Source of water supply: Groundwater ☐ Surface water ☒ Hayden Lake
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.02 c.f.s. for Domestic
AF/Annum (nature of use)

Period of Use: from 1/1 to 12/31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.02 cubic feet per second and annual volume _____ AF/Annum.

- 5. Location of Point(s) of Diversion:**

Township 51N N/S, Range 3W E/W, B.M., Section 21, Subdivision SW ¼ SE ¼, Kootenai
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: 3/4" pipe from lake to pump.

Measuring device required: yes ☐ no ☒

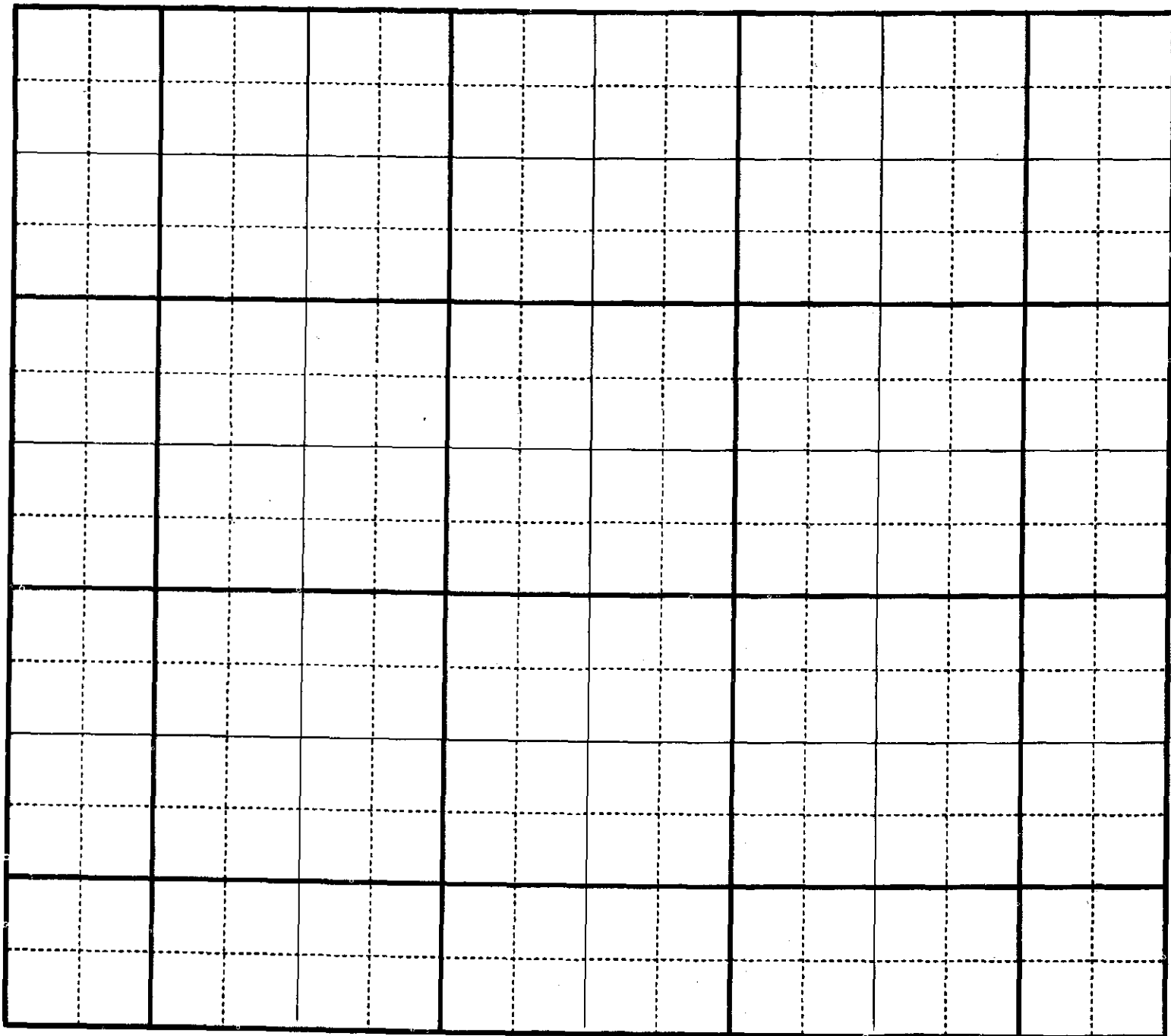
6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Permit No. 94-7024

MICROFILMED

Diagram of System



DATE OF EXAM 7/12/78

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= 0.6 AF/Ann. from Jan 1 to Dec 31

Livestock Q=_____ c.f.s. V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

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 0.02 K Method of measurement NONE

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

Total V recommended 0.6 AF/Ann

Recommended Amendments:

P.D. _____

Place of Use _____

Other Wrong Basin - Should be -95-

None _____

*number can be
changed when
made is
since is
plotted*

MEASUREMENT CALCULATION:

one house hold @ 0.02 cfs & 0.6 AF/Ann

SYSTEM DESCRIPTION:

Submersible pump in lake with 3/4" line to
place of use.

REMARKS:

Examiner's Signature James W King Date 7/12/78

Checked by Bob Haynes Date 7/18/78

Approved by _____ Date _____

Windy Bay 1mi past Clark House - ^{and} about 1mi
Submersible -

on top hill - down to Windy Bay - using creek

First left - Sharp - switch back

stay left willows tight - cable - unhook
End Rd walk down to house

August 19, 1977

Re: Permit No. 94-7024

Merlin J. Hymas
Route 3, Box 658B
Coeur d'Alene, Idaho 83814

Dear Mr. Hymas:

Enclosed is a copy of the Order of Reinstatement on the above referenced permit. Please note that the priority has not been advanced.

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

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 16 1977

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder MERLIN J. Hymas
- b) Post Office Address RT-3 Box 658-B, Coeur d'Alene Idaho 83814
2. Permit Number 94-7024
3. Date of Priority that you are prepared to establish 4-4-72
4. a) Source from which water was appropriated Hayden Lake
- b) Location of the point of diversion: SW 1/4 SE 1/4, Section 21
Township 51 N, Range 3 E Boise Meridian, Other points of diversion: None

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: NA
 - b) Describe the agreement or understanding by which you take water from the works: NA

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) Pump with pipeline to place of use
- b) Describe the type and size of measuring device which you have installed at your point of diversion: None
- c) Give well driller's name and address and the date the well was completed: None

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: General Residence use, NO irrigation

[Signature]

file
as
with this

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

NA

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 0

10. Remarks: _____

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

5-3-77
(Date)

Merlin F. Hyma
(Signature)

State of *Colorado*)
County of *Ventura*) ss.

On this 3 day of May, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Chas. B. ...
Notary Public residing at *St. 1, Box 362*
Northridge, Cal

My commission expires *September*



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

July 13, 1977

Merlin J. Hymas
Route 3, Box 658-B
Coeur d'Alene, ID 83814

Dear Mr. Hymas:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 94-7024 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 April 29, 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.



STEPHEN ALLRED
Director

CSA:jfr

Encl.



April 29, 1977

CERTIFIED MAIL

138455

Re: Permit No. 94-7024

Merlin J. Hymas
Route 3, Box 658-B
Coeur d'Alene, Idaho 83814

Dear Mr. Hymas:

One of the conditions of approval of your water Permit No. 94-7024 (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, 1977. 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

RECEIVED

July 27, 1972

Merlin J. Hymas
Route #3
Box #658-B
Coeur d'Alene, Idaho 83814

Dear Mr. Hymas:

We are enclosing a copy of your approved application no. 94-7024. Please note the contions of approval on page four of the commitment.

You should also be aware, the waters of Hayden Lake have been the subject of adjudication proceeding. At this point of time, it to late to enter your permit for consideration in this matter.

If you have any questions on this matter please contact us.

Very truly yours,

Donald W. McEldowney
Water District Supervisor

DWM:cd

Enclosures:

94 7024

June 2, 1972

Re: Application No. ⁷⁴92-7024 - Merlin J. Hymas

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

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,

Kenneth Knoblock
Water Resource Examiner
Northern District

KK:CR

Enc: Legal Notice (correction)

Bill submitted 7/10/72 CR

94 7024

NOTICE OF CORRECTION

Notice is hereby given that Application No. ⁹⁴92-7024 in the name of Merlin J. Hymas was advertised incorrectly on April 13 and April 20, 1972. The point of diversion and place of use were advertised as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3E, B.M. Whereas, the actual point of diversion and place of use are within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3W, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho on June 8 and June 15, 1972.

94 7024

LEGAL

74 10-1

CALLER
CORRECTED
6/6/72
CL

NOTICE OF CORRECTION

Notice is hereby given that Application No. ~~32~~ 7024 in the name of Merlin J. Hymas was advertised incorrectly on April 13 and April 20, 1972. The point of diversion and place of use were advertised as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3E, B.M. Whereas, the actual point of diversion and place of use are within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3W, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

June 8, 15, 1972

74 7024

April 7, 1972

Re: Application No. 94-7024 - Merlin J. Hymas
" " 95-7183 - John William Van Sickle
" " 95-7184 - " " " "
" " 95-7185 - The Washington Water Power Company

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

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,

Donald W. McEldowney
Appropriation Supervisor

DWM:CR

Enc: Legal Notices (4)

Bill submitted 5-4-72. cr

94 7024

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merlin J. Hymas, Route #3,

Box 658-B, Coeur d'Alene, Idaho

has on April 4, 1972 submitted Application No. 94-7024

for a permit to appropriate 0.02 cubic feet per second ~~acre feet per annum~~
of water from Hayden Lake

by means of pipe and pump

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, R. 3E, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 51N, 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, Statehouse, Boise, Idaho, 33707, on or before May 1, 1972.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho

on April 13 and April 20, 1972.

LEGAL

NOTICE OF APPLICATION

FOR WATER PERMIT

Notice is hereby given that

Merrin J. Hymas, Route No. 3,

Box 658-B, Coeur d'Alene,

Idaho has on April 4, 1972

submitted Application No.

94-7024 for a permit to

appropriate 0.02 cubic feet per

second of water from Hayden

Lake by means of pipe and

pump within the SWASEY,

Sec. 21, T. 51N, R. 3E, B.M.,

Kootenai County to be used

from Jan. 1 to Dec. 31 for

domestic purposes within the

SWASEY, Sec. 21, T. 51N, 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, Statehouse,

Boise, Idaho, 83707, on or

before May 1, 1972.

R. KEITH HIGGINSON

Director

April 13, 20, 1972

94 7024

O.K.
4-12-73
87

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



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

April 4, 1972

Merlin J Hymas
Route #3, Box 658-B
Coeur d'Alene, Idaho 83814

Dear Mr. Hymas:

Attached herewith is your Receipt No. 8255 in the amount of \$ 10.00
for your application for permit

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

94 7024

March 29, 1972

14
Mr. Merlin J. Hymas
Post Office Box #658 B
Route #3
Coeur d'Alene, Idaho 83814

Dear Mr. Hymas:½

In reviewing your application for permit, we find the application in correct form, but we cannot begin the processing until we are in receipt of the \$10.00 filing fee.

We have taken the liberty of re-typing your application for reasons of clarification. Please check all items of our typed application and if you are in agreement, please sign and return it with the \$10.00 filing fee, so that we can begin the processing as soon as possible.

If you should have any questions in reference to this matter, please feel free to contact this Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cs

Enclosures

Identification No. _____

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)

1. Name of applicant Merlin J. Nymas
post office address Rt-3 Box 658-B, Coeur d'Alene, Idaho 83814
2. Source of water supply Hayden Lake which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 51
Range 3 B.M. Kootenai County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Septic tank & drain field at a point in SW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 21 Township 51 Range 3 B.M. Kootenai County
4. Water will be used for the following purposes:
Amount 0.02 for domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0 for for purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount not for 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. NA acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 3/4" pipe from lake to pump

b. Height of storage dam none feet, active reservoir capacity none 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 _____ years.
b. Estimated construction cost is \$ \$300.00.
8. Description of proposed uses:
a. If water is not for irrigation: Residence
☒ (1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 Township 51
Range 3 B.M. _____
(2) Amount of power to be generated: NA hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
NA
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1 ~~NA~~.
(5) If water is to be used for other purposes describe: Residential use only
NA

Total number of acres to be irrigated-

[Signature]

HN
7/25

HN

applicant to make this filing -

10. Remarks

SEC 21

☒

Merlin J. Hyman
(Applicant)

94 7024

[illegible]

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

Hearing held by _____ Date _____

Received by _____ Date 12/1/12 Time 2:01 PM

Time 8:07

1802 16