

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7900 Priority 3/28/1979 Amount .08 cfs

THIS IS TO CERTIFY, that BURL W. MITCHELL
of Coeur d'Alene, ID, has complied with the terms and conditions of Permit
No. 95-7900 issued pursuant to Application for Permit dated 3/28/1979,
and has submitted proof to the Department of Water Resources on 4/7/1980,
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 .08 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
Domestic (2 units)	from <u>1/1</u> to <u>12/31</u>	at <u>.08</u> cfs and	<u>2.4</u> AF
Stockwater	from <u>1/1</u> to <u>12/31</u>	at <u>.02</u> cfs and	<u>.2</u> AF
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .08 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
2.6 acre feet per year, said waters to be diverted within the NWNW, Sec. 9, T49N, R1W
in the County of Kootenai

Description and location of place of use:

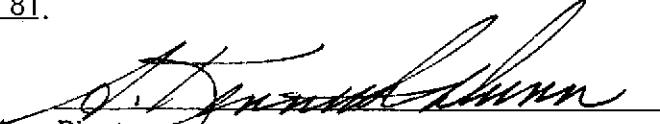
Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
49N	4W	9					X												

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 29th day of
May, 19 81.


Director

DET

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 Burl W. Mitchell Phone 667-9796
Post office address Star Rt. Coeur D'Alene, Id.
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 49N
Range 4W B.M. Loctonai County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.08 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stock 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)

5. Total quantity to be appropriated:

a. 0.08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & 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 when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 6 inches; proposed depth of well is 285 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:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9 Township 49N
Range 4W B.M.

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

(3) List number of each kind of livestock to be watered 10 Ld. Stock.

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2.

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

MICROFILMED

[illegible]

None

Wm. L. L. L.

Applicant

247

applicant to make this filing

10. Remarks

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

X-P.M. & Plan of use

Sec 9

T49N R 4W

Proposed Priority 3/28/79

Received by JK Date 3/28/79 Time 2:00 PM
Preliminary check by JK Fee \$ 30.00
Received by JK Date 3/28/79 # 13477
Publication prepared by JK Date 4/4/79
Published in Courier & Press 7
Publication dates 4/12-19/79
Publication approved JK Date 4/22/79
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JK 5.5.

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. 95-7900, 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 June 1, 19 80.

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: _____

Witness my hand this 7th day of May, 19 79.

Chief, Operations Bureau

D. Alan Saylor

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:

95-7889
Dougharty, D. A.
Ratliff, James V.
Route 4, Box 6 R, Coeur d'Alene, ID. 83814
Source: Groundwater
Date Filed: March 28, 1979
Amount: 0.34 cfs
Diversion Point: NESW Sec 15 T 51N R 04W, Kootenai Co.
Use: Commercial (0.34 cfs) from January 1 to December 31.
Place of Use: NESW NWSW SWSW SESE Sec 15 T 51N R 04W SENE NESE SESE Sec 16 T 51N R 04W.
Diversion Means: Well & pump.

95-7900
Mitchell, Hurl W.
Star Route, Coeur d'Alene, ID 83814
Source: Groundwater
Date Filed: March 28, 1979
Amount: 0.08 cfs
Diversion Point: NWNW Sec 09 T 49N R 04W, Kootenai Co.
Use: Domestic (0.08 cfs) from January 1 to December 31; Stockwater (0.02 cfs) from January 1 to December 31.
Place of Use: NWNW Sec 09 T 49N R 04W.
Diversion Means: Well & Pump.

95-7901
Kopf, James &/or Mary Lou
Route 1, Box 62 E 3, Coeur d'Alene, ID 83814
Source: Groundwater
Date Filed: March 28, 1979
Amount: 0.20 cfs
Diversion Point: NWNE Sec 18 T 50N R 04W, Kootenai Co.
Use: Irrigation (0.20 cfs) from March 15 to November 15; Domestic (0.12 cfs) from January 1 to December 31.
Place of Use: NWNE Sec 18 T 50N R 04W SWSE Sec 07 T 50N R 04W for 20 acres.
Diversion Means: Well & Pump.

95-7902
Wollenburg, Paul D. &/or Mary L.
Route 3 Box 258 A 2, Rathdrum, ID 83858
Source: Groundwater
Date Filed: March 30, 1979.
Amount: 0.08 cfs
Diversion Point: SWNW Sec 28 T 52N R 04W, Kootenai Co.
Use: Domestic (0.08 cfs) from January 1 to December 31; Irrigation (0.08 cfs) from April 1 to November 1.
Place of Use: SWNW Sec 28 T 52N R 04W for 4 acres
Diversion Means: Well & Pump.

95-7903
Hallam, Arthur
Route 3, Box 166 A, Hayden Lake, ID 83835
Source: Groundwater
Date Filed: March 29, 1979
Amount: 0.14 cfs
Diversion Point: NENE Sec 31 T 52N R 03W, Kootenai Co.
Use: Domestic (0.12 cfs) from January 1 to December 31; Stockwater (0.12 cfs) from January 1 to December 31.
Place of Use: SESE Sec 30 T 52N S 52W NENE Sec 31 T 52N R 03W
Diversion Means: Well & pump.

95-7904
Hocutt, Co.
10 Ganche Drive, Rathdrum, ID 83858
Source: Unnamed springs
Date Filed: March 29, 1979
Amount: 0.06 cfs
Diversion Point: 141T 02 141T 02 141T 02 Sec 02 T 49N R 02W, Kootenai Co.
Use: Domestic (0.04 cfs) from January 1 to December 31; Stockwater (0.02 cfs) from January 1 to December 31.
Place of Use: 141T 02 141T 02 141T 02 Sec 02 T 49N R 02W
Diversion Means: Collection box

STATE OF IDAHO,
County of Kootenai,

} ss.
Carole Hedge

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *Notice*

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *12* day of *April* 19 *79*, and ending on the *19* day of *April* 19 *79*, 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 *19* day of *April* 19 *79*

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

LEADER

99.36

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Direct
of Wal
Way, C

Legal #
April 12

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~XXXXXXXXXXXX~~

Director

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

June 1, 1981

Burl W. Mitchell
Star Route
Coeur d'Alene, Idaho 83814

Dear Mr. Mitchell,

RE: License No. 95-7900

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Johnson".

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

95-7900
Permit No.
28-2

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	4-29-80	JK	
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 4-16-80 Accompanied by — Total Q measured —
If source is surface water, estimate total flow of source —
Methods of measurement Est + Calc Meets Permit requirements? yes

Measurement calculations: 2 homes - stock
Domestic $Q = 2 \text{ units} \times .04 (\text{includes garden}) = .08 \checkmark$
 $V = 2 \text{ units} \times 1.2 = 2.4 \text{ AF} \checkmark$
Stock $Q = .02 \text{ cfs for less than 10 hd}$
 $V = .2 \text{ AS per stock table}$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
								Subm

System Description 6" x 385' well with pump & pipeline to homes, barn & stock tank

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
Domestic	0.08 ✓	2.4 ✓	1-1	12-31
Stock	0.02 ✓	.2 ✓		
Total	0.08 ✓	2.6 ✓		

Remarks 2 homes at time of exam also garden

Signature _____
Date _____

Date _____

1 2 3 4

None ☒None ☒[illegible]

Point(s) of diversion: NAWU, Sec 9, 149N, R4W

No map or diagram submitted with this field report

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

SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)

CT
ON
L

PRUOF MADE - P

ACT
ION

L STAGE - PERMIT

PROOF DUE - 06-01-1980 PERMIT/DENIED - 05-07-1979

WATER RIGHT DATA ENTRY LOG

[illegible]

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

April 23, 1980

Mr. Burl W. Mitchell
Star Route
Coeur d'Alene, Idaho 83814

RE: 95-7300

Dear Mr. Mitchell:

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. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Asst

TDK/pms

cc: IDWR - State Office

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 95-7900.

Name(s) of Permit Holder: BURL W. Mitchell

Post Office Address: Star Route
COEUR D'ALENE IDAHO Tel. No. 667-9796

Source of Water: Well

Extent of Use: ☒ Domestic TWO (2) (number of households)
☒ Stockwater HORSES (2-4) (number and type of stock)
☐ Irrigation ONE (acres)
☐ Other

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.

6 April 1980
Date

Burl W. Mitchell
Signature of Permit Holder

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RECEIVED

APR 7 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

BURK W. MITCHELL
STAR RT.
COEUR D'ALENE, IDAHO 83814



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MITCHELL, BURL W.
STAR ROUTE
COEUR D'ALENE, ID 83814

101960

MARCH 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7900 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1980. (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.

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

ENC: 1

MICROFILMED



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

May 10, 1979

Re: Permit No. 95-7900

Burl W. Mitchell
Star Route
Coeur d'Alene, Idaho 83814

Dear Mr. Mitchell:

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

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

RECEIVED

95-7900

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. W Source
3. ✓ Point of Diversion
4. 0.68 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 1 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. 11 Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

N^o Idaho Health Department
7 Idaho Fish & Game Dept.
1 Bureau of Land Management

N^o U.S.F.S.
1 Dept. of Lands
1 Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. N/A
 ID Power Co. Letter - G.W. & Tribs.
 Snake River Condition
 Payette River Letter
 Priority Date 3/28/79

Water Quality #16 N/A
 Water Quality #10
 intrastate interstate

Meas. Dev. or Sc. Meas. N/A
 Totalizing meter
 Supplemental
 Right-of-Way Cond.
 Watermaster Cond.
 Wtr. Dist No.
 Meas. Dev. Cond. for apps within a Water Dist.

Jan
 Reviewer

5/4/79
 Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7900 Mitchell

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) RyA 3-29-79

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) RyA 3-29-79

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) pm 4/20/79

Affidavit of Publication received(date) 4/20/79

(12) pm 4/30/79

Final date for protests April 30, 1979
Protests received: yes _____ no X

(13) pm 4/30/79

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

(14) _____

Action recommended:

☒ Approve _____ Deny

3-28-79 Proposed Priority

Reason for Reduction _____

Measuring device required _____

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 4-30-79

RECEIVED
MAY 02 1979

Department of Water Resources

MICROFILMED

95-2900-

MITCHELL, BURL W.

STAR ROUTE, COEUR D'ALENE, ID 83814

Source: GROUNDWATER

Date Filed: 03/28/1979

Amount: 0.08 CFS

Diversion Point: NWNW Sec 09 T 49N R 04W, KOOTENAI Co.

Use: DOMESTIC	(0.08 CFS)	from 01/01 to 12/31
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NWNW Sec 09 T 49N R 04W

Diversion Means: WELL & PUMP

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