

300'

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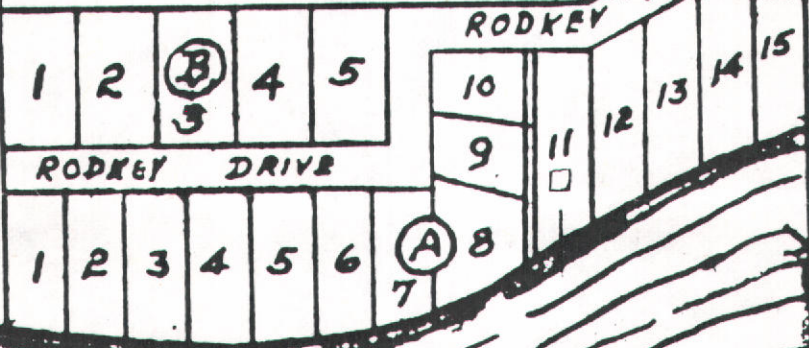
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ass pltd.  
Part



PROPERTY MED

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7826 Priority March 20, 1978 Amount 0.045 cfs

THIS IS TO CERTIFY, that LARRY A. CUNNINGHAM  
of Post Falls, Idaho, has complied with the terms and conditions of Permit  
No. 95-7826 issued pursuant to Application for Permit dated March 20, 1978,  
and has submitted proof to the Department of Water Resources on June 23, 1978,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.045 cfs of water from Spokane River,  
tributary to Lake Coeur d'Alene, 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>0.045</u> cfs and <u>1.2</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 0.045 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
1.2 acre feet per year, said waters to be diverted within the Government Lot 1, (SE $\frac{1}{4}$ NE $\frac{1}{4}$ ),  
Sec. 11, Twp 50N, Rge. 5W, 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 $\frac{1}{4}$ |        |
| 50N  | 5W    | 11   |                  |                  |                  | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated \_\_\_\_\_

RECEIVED  
JUN 24 1978  
DEPT. OF WATER RESOURCES  
BOISE, IDAHO

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

April, 19 79.

Deputy Director

Identification No. \_\_\_\_\_  
Application No. 95-7826

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

**APPLICATION FOR PERMIT APPROVED**

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

1. Name of applicant LARRY A. CUNNINGHAM Phone: 773-9461  
post office address 301 Ross Point Road, Post Falls, Idaho  
2. Source of water supply Spokane River which is a tributary of Lake Coeur d'Alene  
3. a. Location of point of diversion is SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 11 Township 50N  
Range 5W B.M. Kootenai County; additional points of diversion if any: Lot 11, BIK A, Ronkey Addition

b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_

4. Water will be used for the following purposes:

Amount .045 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. .045 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1 1/4" 160 PSI PVC pipe w/ 3/4 H.P. Submersible Pump in River to be used for domestic only.

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 \_\_\_\_\_ (Mo. Day) to \_\_\_\_\_ (Mo. Day) inclusive.

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

ALLOW 16  
is 1 years. Completed

b. Estimated construction cost is \$ 1800<sup>00</sup> total water system

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 11 Township 50N  
Range 5W B.M.

(2) Amount of power to be generated: NONE hp under \_\_\_\_\_ feet of head.

(3) List number of each kind of livestock to be watered NONE

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water (1)

(5) If water is to be used for other purposes describe: domestic only for applicant

RECEIVED

[illegible]

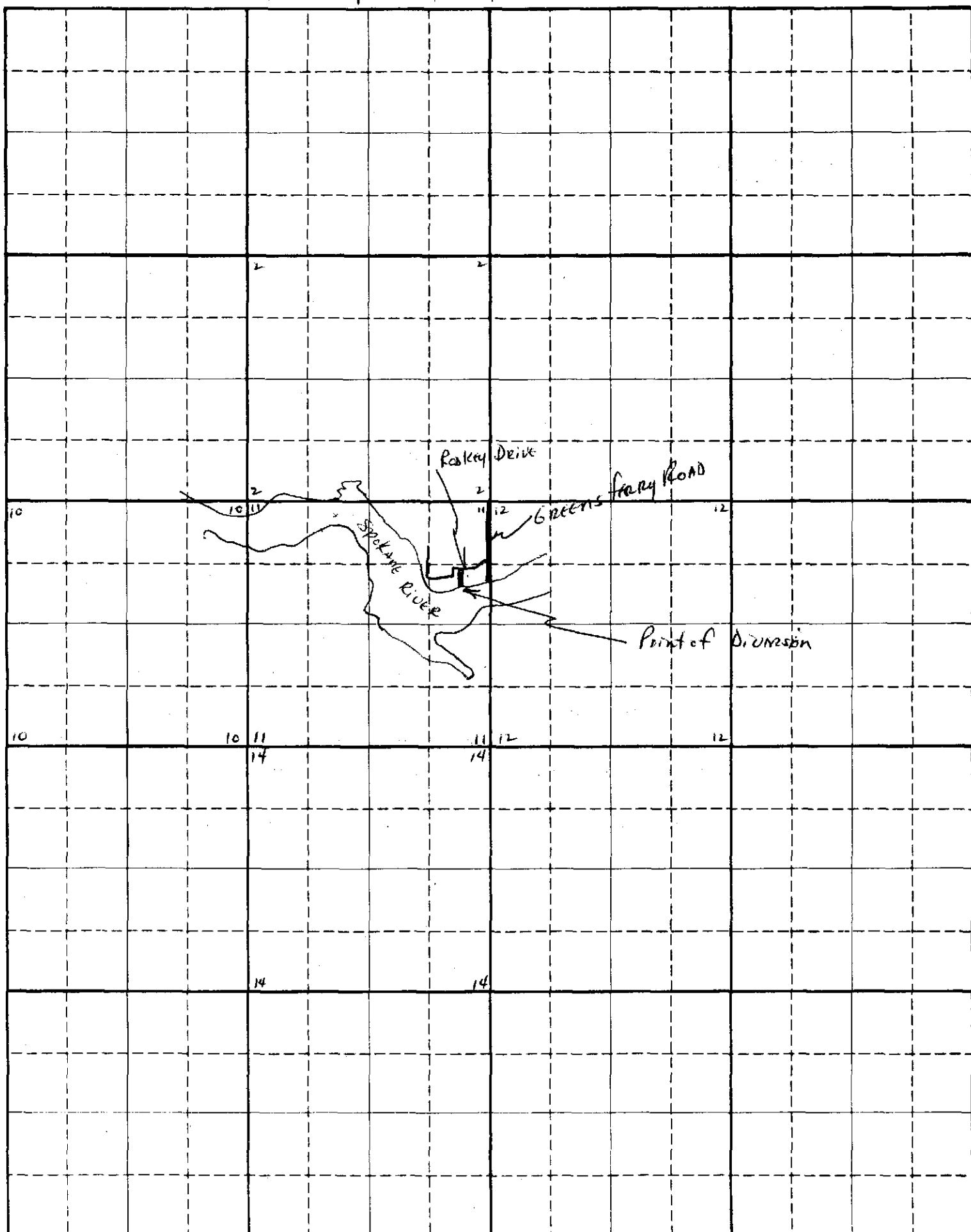
c. Describe any other water rights used for the same purposes as described above.

- Applicant.

applicant to make this filing.

10. Remarks Water is to be used for domestic purpose only. Water lint will be buried to low water point and ground put back to previous condition as soon as water level drops so this can be accomplished. Pump will be located 300 ft. from main normal summer mean water line.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *township 50 N, Range 5 W. B.M.*



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*[Signature]*  
(Applicant)

Proposed Priority 3/20/78

Received by WLD Date 3-20-78 Time 11:00  
Preliminary check by WLD Fee \$ 105  
Received by WLD Date 3-21-78 (10803)  
Publication prepared by WLD Date 3-21-78  
Published in Land Use News  
Publication dates 3-30-78 4-6-78  
Publication approved WLD Date 4-17-78  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by WLD

# 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. 95-7826, 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, 1979.

c. Other: \_\_\_\_\_

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

Witness my hand this 22<sup>nd</sup> day of May, 1978.

Wm. C. Young  
Administrator

# AFFIDAVIT OF PUBLICATION

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Larry A. Cunningham, 301 Ross Point Road, Post Falls, Id. has on March 20, 1978 submitted Application No. 95-7826 for a permit to appropriate 0.045 cubic feet per second of water from the Spokane River by means of a pump & pipeline within the SE 1/4 NE 1/4 Sec 11, T50N, R5W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within the SE 1/4 NE 1/4 Sec. 11, T50N, R5W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 17, 1978.

C. STEPHEN ALLRED  
Director

Legal No. 234  
March 30 & April 6, 1978.

STATE OF IDAHO,  
County of Kootenai,

} ss.

Claire 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 Times issue of said newspaper for 2 consecutive Weeks commencing on the 30 day of March 1978, and ending on the 6 day of April, 1978, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Claire Hedge  
Subscribed and sworn to before me this 6 day of April  
1978

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

LEADER

SK  
ADW  
4-10-78

1008



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

May 1, 1979

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

Re: Water Right No. 95-7826

Larry A. Cunningham  
301 Ross Point Road  
Post Falls, ID 83854

Dear Mr. Cunningham:

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

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

1  
INTER-DEPARTMENT MEMO — 1

FROM

Tom K

TO

Rita F. Jon

SUBJECT

95-7826

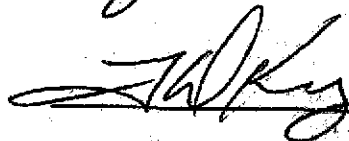
DA  
**RECEIVED**

APR 9 1979

Department of Water Resources

The map I used on this examination is wrong. ~~That~~ The point of diversion & place of use are in Ac. Lot 1, also known as the SE NE, Sec 11, T50N, R5W.

Sorry for the misinformation. I have contacted Mr. Cunningham and informed him of the error.



SIGNATURE

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

March 20, 1979

Re: Permit No. 95-7826

Larry A. Cunningham  
301 Ross Point Road  
Post Falls, Idaho 83854

Dear Mr. Cunningham:

A representative of this Department made an examination of the works covered by your Permit No. 95-7826 on September 1, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under  
Idaho law: 0.045 cfs Source: Spokane River

The maximum quantity diverted shall not exceed 1.2 acre feet  
per year.

Point of diversion: NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Sec. 11, Twp. 50N, Rge. 5W, B. M.

Beneficial use: Domestic use within the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, Sec. 11, Twp. 50N,  
Rge. 5W, B. M.

Priority date established: March 20, 1978

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG/kw  
Enclosure

FIELD REPORT

Person to contact \_\_\_\_\_ Phone \_\_\_\_\_

(name spring, stream, etc.)

Tributary to \_\_\_\_\_

- Other uses: \_\_\_\_\_

- Max Rate of Diversion 0.045 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

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

Other Points of Diversions: \_\_\_\_\_

Description of diverting works:  $1\frac{1}{4}$ " 160 PSI PVC pipe with  $\frac{3}{4}$  Hp submersible pump - buried from edge of property to low water point

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

**TOTAL ACREAGE** \_\_\_\_\_

Lot 11, Block A  
Rocky Addition



DATE OF EXAM 9/1/78

ACREAGE  
Found \_\_\_\_\_  
Recommended \_\_\_\_\_

Irrigation Requirement \_\_\_\_\_ Ac Ft/Ac

USE  
Irrigation Q=\_\_\_\_\_ c.f.s. V=\_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Domestic Q=0.04 c.f.s. V=1.2 AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q=\_\_\_\_\_ c.f.s. V=\_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ☒

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

Exchange? yes \_\_\_\_\_ no ☒

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of injection:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of exchange:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Total Q measured None Method of measurement \_\_\_\_\_

Total Q recommended 0.04 cfs Meter No. \_\_\_\_\_ Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 1.2 AF/Ann

Recommended Amendments:

P.D. NE NE SEC 11 T 50 N R 5 W  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None ☒

no memo  
from Tom King  
dated 4/3/79  
jc

MEASUREMENT CALCULATION:

One hour total at 0.04 cfs & 1.2 AF/Ann

SYSTEM DESCRIPTION:

Submersible pump w/ pipe line to place of use

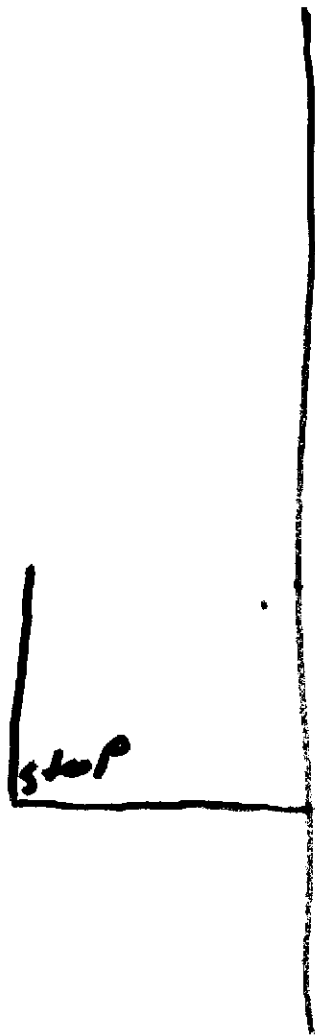
REMARKS:

Contacted Baby sitter & outlets appear to be separate from domestic system.

Examiner's Signature J King Date 9/1/78

Checked by Bob Haynes Date 9-8-78

Approved by \_\_\_\_\_ Date \_\_\_\_\_



Rocket

1834

June 30, 1978

Re: Permit No. 95-7311

Larry A. Cunningham  
301 Ross Point Road  
Post Falls, ID 83854

Dear Mr. Cunningham:

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

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

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

Sincerely,

JANICE RENK  
Water Rights

MICROFILMED

Identification No. \_\_\_\_\_

Permit No. \_\_\_\_\_

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED  
JUN 12 1978  
Department of Water Resources  
Southern District Office

1. a) Name of Permit Holder HARRY A. CUNNINGHAM  
b) Post Office Address 301 Ross Point Road, Post Falls, Idaho
2. Permit Number 95-7826
3. Date of Priority that you are prepared to establish JUNE 1, 1978
4. a) Source from which water was appropriated SPOKANE RIVER  
b) Location of the point of diversion: SE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 50N, Range 5W, T14N  
Township 50 N, Range 5 W 3 M Boise Meridian, Other points of diversion: NONE
5. a) The amount of water and use to which the water has been applied:  
Amount .045 CFS 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 .045 (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: 1 1/4" 160 P.S.I. PVC Pipe w/ 3/4 H.P. Submersible Pump - Aqua Pump - Bob Klotz
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: N/A  
b) Describe the agreement or understanding by which you take water from the works: 3/4 H.P. Submersible pump
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) 1 1/4" 160 P.S.I. PVC Pipe w/ 3/4 H.P. Submersible pump - Buried from edge of users property to low water point.  
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: Domestic.

Exam typed 6/30/78 By lf

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: none

| T  | R | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|---|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |   |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 50 | 5 | 11   |     |     |     |     |     |     |     |     |     |     |     |     | X   |     |     |     | Lot   |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |   |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total number of acres irrigated Lot  
Domestic

10. Remarks:

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

6/12/78 (Date) [Signature] (Signature)

State of Idaho )  
County of Kootenai ) ss.

On this 12<sup>th</sup> day of June, 1978, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Thomas H. Anderson  
Notary Public residing at Coeur d'Alene  
Idaho

My commission expires life

May 26, 1978

*File*  
RE: Application No. 95-7826

Equitable Savings & Loan  
622 East Sherman  
Coeur d'Alene, Id 83814

Gentlemen,

As long as Larry Cunningham continues to use water out of the Spokane River at the designated location, we do not anticipate any restriction or limitation on that use.

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

Sincerely,

KENNETH KNOBLOCK  
Senior Water Resource Agent

KK:ab

100-111111



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 23, 1978

Re: Permit No. 95-7826

Larry A. Cunningham  
301 Ross Point Road  
Post Falls, ID 83854

Dear Mr. Cunningham:

Enclosed is a copy of your approved Application for Permit No. 95-7826. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:kw  
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. Cunningham

☒ 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) Pyff 3-21-78

In form to receipt

(2) \_\_\_\_\_

Send Copies to:

\_\_\_\_\_ Idaho State Health Department  
\_\_\_\_\_ Idaho Fish and Game Department  
\_\_\_\_\_ Bureau of Land Management

(3) \_\_\_\_\_

☒ Bureau of Lands  
\_\_\_\_\_ Request Special Use Permit from U.S.F.S.  
\_\_\_\_\_ Request Easement from B.L.M.  
\_\_\_\_\_ Request Information from Applicant  
\_\_\_\_\_ Request Dam Safety Information

(4) Pyff 3-21-78

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) SWW 4-17-78

Affidavit of Publication received(date) 4-17-78

(12) \_\_\_\_\_

Final date for protests 4-17-78  
Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

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

(14) \_\_\_\_\_

Action recommended:

☒ Approve \_\_\_\_\_ Deny

3-20-78 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 4-20-78

sent back on 5/5/78  
**RECEIVED**  
APR 24 1978  
Returned May 17, 1978  
Department of Water Resources



# STATE OF IDAHO

## DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY  
DIRECTOR

### STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS  
GOVERNOR AND PRESIDENT  
PETE T. CENARRUSA  
SECRETARY OF STATE  
WAYNE L. KIDWELL  
ATTORNEY GENERAL  
JOE R. WILLIAMS  
STATE AUDITOR  
ROY TRUBY  
SUPT OF PUBLIC INSTRUCTION

4 April 1978

Robert G. Haynes  
Department of Water Resources  
Northern District  
Route #5, Box 203, Suite 1  
Coeur d'Alene, ID 83814

RECEIVED  
APR 5 1978  
Department of Water Resources  
Northern District Office

Dear Bob:

RE: Cunningham - 95-7826

The Department of Lands has issued a temporary permit for the work described in the above-numbered diversion application. The Department of Lands has no objections to this project.

A copy of our permit is attached for your information.

Very truly yours,

*William A. Scribner*  
William A. Scribner, Chief  
Bureau of Navigable Waters

WAS:ph

Attachment

RECEIVED

EQUAL OPPORTUNITY EMPLOYER



# STATE OF IDAHO

## DEPARTMENT OF LANDS

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STATE AUDITOR  
ROY TRUBY  
SUPT OF PUBLIC INSTRUCTION

### TEMPORARY PERMIT

1472

NO. ....

PERMISSION is hereby granted to LARRY A. CUMMINGHAM of 301 Ross Point Road, Post Falls, ID, to install and maintain an intake line and pump on and across the following described land:

The bed of the Spokane River adjacent to Lot 11, Block A, Rodkey Subdivision, Section 11, Township 50 North, Range 5 West, B.M., as shown on the attached plat.

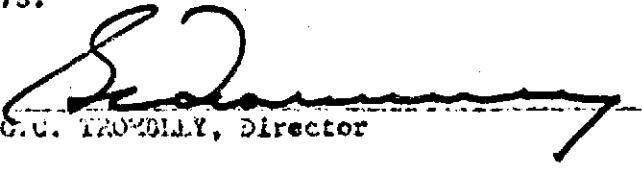
This permit is subject to the following terms and conditions:

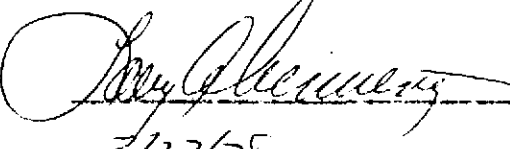
1. This authorization is effective upon signature by the Director and payment of the required fee by the permittee.
2. This permit shall expire on December 31, 1982, but may be extended for an additional five (5) year period upon request of the permittee, subject to such terms and conditions as imposed by the Director, Department of Lands.
3. This permit is granted in consideration of the receipt of Ten Dollars (\$10.00).
4. Any excavation performed under this permit shall be back-filled and smoothed to the profile and cross-section of the pre-existing riverbed.
5. The permittee shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this permit.
6. This permit may be cancelled after written notice to the permittee to non-compliance with the terms herein and failure of the permittee to correct noted non-compliance.

7. This permit may be assigned by the permittee during the term of the permit by giving written notice of the name and mailing address of the assignee to the Director, Department of Lands.

Dated this 3 day of Apr., 1978.

LARRY A. CUNNINGHAM

  
G.C. TROSBLY, Director

  
3/27/78  
Dated

RECEIVED  
APR 27 1978  
DEPT. OF LANDS  
HONOLULU

2

1

300'

435'  
4601  
435'

535'

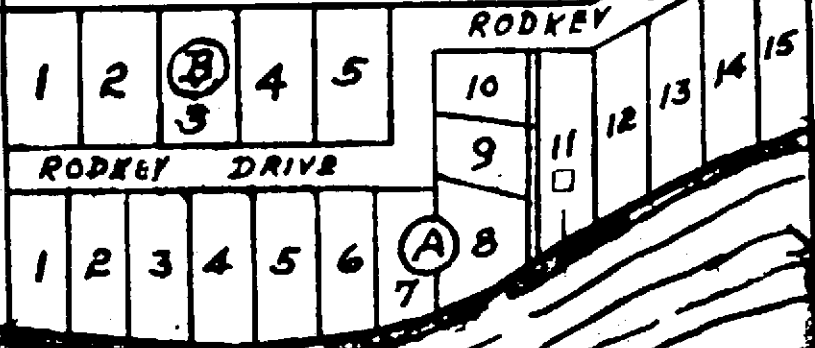
11

12

4601

ROAD

RODKEY S



3

16.90

ss pld.  
Part

MD



# STATE OF IDAHO

## DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY  
DIRECTOR

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ATTORNEY GENERAL  
JOE R. WILLIAMS  
STATE AUDITOR  
ROY TRUBY  
SUPT OF PUBLIC INSTRUCTION

23 March 1978

Robert G. Haynes  
Department of Water Resources  
Northern District  
Route #5, Box 203, Suite 1  
Coeur d'Alene, ID 83814

Dear Bob:

RE: Larry Cunningham - 95-7826

Thank you for the copy of Mr. Cunningham's diversion application. The installation will require an encroachment permit and easement or temporary permit from the Department of Lands.

Mr. Cunningham will be advised of the additional permits required by this Department.

Very truly yours,

DIVISION OF EARTH RESOURCES

  
WILLIAM A. SCRIBNER, Chief  
Bureau of Navigable Waters

WAS:ph

cc: Bureau of Navigable Waters - CdA

RECEIVED

MAR 27 1978

Department of Water Resources  
Northern District Office

EQUAL OPPORTUNITY EMPLOYER

MICROFILMED



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES NORTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

March 23, 1978

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

Re: Application nos. 95-7826 and 96-7639  
Claim Nos. 96-4207 and 96-4208

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

Gentlemen:

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

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

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

Very truly yours,

ROBERT G. HAYNES, P.E.  
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Bill reviewed*  
*4-17-78*  
*OK*  
*[Signature]*

MICROFILMED

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Larry A Cunningham

301 Ross Point Road, Post Falls, Id

has on March 20, 1978 submitted Application No. 95-7826

for a permit to appropriate 0.045 cubic feet per second ~~XXXXXX feet per annum~~

of water from the Spokane River

by means of a pump & pipeline

within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  Sec 11, T50N, R5W, B.M., Kootenai County

to be used from Jan 1 to Dec 31

for domestic purposes

within the SE $\frac{1}{4}$ NE $\frac{1}{4}$  SEC 11, T50N, R5W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 17, 1978.

C. STEPHEN ALLRED  
Director

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

on March 30 and April 6, 1978

FILED



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

March 21, 1978

RE: Application No. 95-7826

Larry A Cunningham  
301 Ross Point Rd  
Post Falls, Id 83854

Dear Mr Cunningham,

Attached is your receipt No. 10803 in the amount of \$10.00 for the  
filing fee on the above referenced item which was received in this office.

Very truly yours,

Alea Beito  
Secretary

AB

Attachment

RECEIVED

March 21, 1978

RE: Application No. 95-7826

Wm Scribner  
Id Dept of Lands  
Statehouse  
Boise, Id 83720

Dear Mr Scribner,

Enclosed is a copy of the above referenced application which may be of interest to your agency. The applicant wishes to appropriate water from a stream which appears to be navigable.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH:ab

Enclosure