

AFFIDAVIT OF PUBLICATION

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Perley D &/or Julia A. Smith Box 4, Rathdrum, Id., has on September 8, 1977 submitted Application No. 95-7783 for a permit to appropriate 0.04 cubic feet per second of water from an unnamed spring by means of a pump & pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25, T52N, R5W, 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. 25, T52N, 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 October 10, 1977.

C. STEPHEN ALLRED
Director

Legal No. 598
Sept. 22, 29, 1977

Sandra Nowlan 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 for
water permit - Smith

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 22nd day of September 1977, and
ending on the 29th day of September 1977, 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.

Sandra Nowlan

Subscribed and sworn to before me this 29 day of Sept
1977.

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

O/K
SDW
10-5-77

10.08

RECORDED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7783 Priority September 8, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that PERLEY D. &/or JULIA A. SMITH
of Rathdrum, Idaho, has complied with the terms and conditions of Permit
No. 95-7783 issued pursuant to Application for Permit dated September 8, 1977,
and has submitted proof to the Department of Water Resources on May 21, 1979,
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 0.04 cfs of water from Unnamed Spring,
tributary to Spring Branch Creek, 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>0.04</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 0.04 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 SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 52N,
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 $\frac{1}{4}$	
52N	5W	25																	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 19 day of
August, 19 80.

Director

MICROFILMED

Identification No. _____
Application No. 95-7783

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 Perley D. & Julia A. Smith Phone: 687-1143
post office address Bx 4 Rathdrum, Ida, 83858
2. Source of water supply Unnamed Spring which is a tributary of Spring Branch Crk.
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 25 Township 52N
Range 5W B.M. Kootenai County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purpose from Jan' 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. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Developed spring, pump and pipe line to
place of use

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 \$ _____.
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 25 Township 52N
Range 5W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

10. Remarks.

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

Total number of acres to be irrigated -

[illegible]

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

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

SEC 25
T52NR5W

x - P.D. &
Place
of use

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.

x Perley D. Smith.
(Applicant)

Proposed Priority 9/08/77

Received by AK Date 9-8-77 Time 11:50AM

Preliminary check by AK Fee \$ 10.00

Received by AK Date 9-8-77 (5785)

Publication prepared by AK Date 9-8-77

Published in Journal of the Idaho State

Publication dates 9-28-77 to 9-29-77

Publication approved 54 Date 11-5-77

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial

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. 95-7783, 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 December 1, 19 82.

c. Other:

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

Witness my hand this 19 day of December 19 77.

Deputy Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai.

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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 October 10, 1977.

C. STEPHEN ALLRED
Director

Legal No. 598
Sept. 22, 29, 1977

OK
SDW
10-5-77

10-28

Sandra Nowlan 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.

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Sandra Nowlan

Subscribed and sworn to before me this 29 day of Sept, 1977.

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

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7783 Smith

☒ 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) RWH 9-6-77

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) RWH 9-6-77

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) MDW 10-5-77

Affidavit of Publication received(date) 10-5-77

(12) _____

Final date for protests 10-10

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

9-8-77 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern By Bob Haynes Date 10-11-77

RECEIVED

OCT 14 1977

Department of Water Resources



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

September 8, 1980

Perley & Julia Smith
Box 4
Rathdrum, Idaho 83858

Dear Mr. & Mrs. Smith,

RE: License No. 95-7783

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

RECEIVED
SEP 10 1980
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF WATER RESOURCES

FIELD REPORT

JUL 22 1980

95-7783

Permit No.

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	7-13-79	K	
☐ Telephone call made: (List Telephone No. used)	687-1143		
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7-11-80 Accompanied by — Total Q measured —
 If source is surface water, estimate total flow of source —
 Methods of measurement Estimate Meets Permit requirements? yes

Measurement calculations:

one home

98-1

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1/2							

System Description Developed spring with 1/2 hp submersible pump
& pipe line 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
<u>Domestic</u>	<u>0.04</u>	<u>1.2</u>	<u>1-1</u>	<u>12-31</u>
Total	<u>0.04</u>	<u>1.2</u>		

Remarks

Subject to Twin Lakes Adj.

MICROFILMED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

Point(s) of diversion: 52N, 50, 25, SWSE

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
52N	50	25															X		

Recommended Amendments:

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

Date

Date

Date

7-11-80
7/15/80
7/28/80

DEPARTMENT OF WATER RESOURCES

This 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. 93-7783

Name(s) of Permit Holder: Perley D. & Julie A. Smith

Post Office Address: Box 4, Rathdrum, Idaho 83858

Source of Water: groundwater

Extent of Use:

- ☒ Domestic
☐ Stockwater
☒ Irrigation
☐ Other

Measuring Device:
Access Port:

Required?
Required?

☐ Yes ☒ No
☐ Yes ☐ No

Installed? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

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

5/21/79
Date

Perley D. Smith
Signature of Permit Holder

RECEIVED

(number and type of stock)
MAY 21 1979
Department of Water Resources
Northern District Office

DEPARTMENT OF WATER RESOURCES

This 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. 95-7783

Name(s) of Permit Holder: Perley D. & Julie A. Smith
Post Office Address: Box 4, Rathdrum, Idaho

Source of Water:
Extent of Use:

- ☒ Domestic
☐ Stockwater
☒ Irrigation
☐ Other

Measuring Device:
Access Port:

The above information is a true statement of the extent to which the above numbered permit has been developed
5/21/79 Date

Required?
Required?
Yes ☒ No
Yes ☐ No

(number and type of stock)
52N 5W
SW 5E 25
33858
1
RECEIVED

Department of Water Resources
Northern District Office

Installed? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Signature of Permit Holder
Perley D. Smith

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

July 13, 1979

Mr. and Mrs. Perley Smith
Box 4
Rathdrum, Idaho 83858

RE: 95-7783

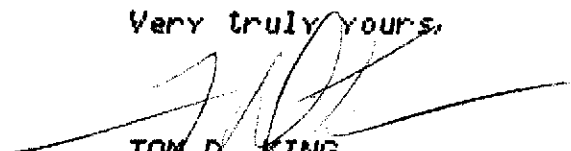
Dear Mr. and Mrs. Smith:

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 Agent

TDK/pms

cc: IDWR - State Office

RECEIVED
JUL 15 1979
IDWR

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

July 13, 1979

Mr. and Mrs. Perley Smith
Box 4
Rathdrum, Idaho 83858

RE: 95-7783

Dear Mr. and Mrs. Smith:

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 Asent

TDK/pms

cc: IDWR - State Office

MICROFILMED

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. 95-7783

Name(s) of Permit Holder: Perley D & Julia A. Smith

Post Office Address: Box 4. Rathdrum, Idaho 83858

RECEIVED

Source of Water:

Extent of Use:

☒ Domestic	<u>1</u>	(number ~~MAY~~ ^{you hold} <u>1979</u>)
☐ Stockwater		(number and type of stock)
☒ Irrigation		(acres)
☐ Other		

Department of Water Resources
Northern District Office

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.

7/21/79
Date

Perley D. Smith
Signature of Permit Holder

MICROFILMED

**PLACE
TEN CENT
STAMP
HERE**



**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

December 20, 1977

Re: Permit No. 95-7783

Perley D. &/or Julia A. Smith
Box 4
Rathdrum, ID 83858

Dear Mr. and Mrs. Smith:

Enclosed is a copy of your approved Application for Permit No 95-7783 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

RECEIVED
DEC 21 1977
FLEENOR



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

September 15, 1977

RE: Applications No. 95-7782, 95-7783 & 95-7781

**Coeur d'Alene Press
Second & 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)

*no bill
received
10-5-77
SDW*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Perley D &/or Julia A Smith

Box 4, Rathdrum, Id

has on September 8, 1977 submitted Application No. 95-7783

for a permit to appropriate 0.04 cubic feet per second ~~xxxxxxfeetxxxxxx~~
of water from an unnamed spring

by means of a pump & pipeline

within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 25, T52N, R5W, 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 25, T52N, R5W, B.M.

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C. STEPHEN ALLRED
Director

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

on September 22 and September 29, 1977