

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bert &/or Vivene C. Near, Rt. 1, Box 110 N. Hayden Lake has on August 15, 1977 submitted Application No. 95-7772 for a permit to appropriate 0.04 cubic feet per second of water from ground water source by means of well and pump within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, T50N, R3W.B.M. Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T50N, R3W.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 September 19, 1977.

C. STEPHEN ALLRED
Director

Legal No. 538
Sept. 1, 8, 1977

OK
9-16-77
B

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 *Thurs* issue of said newspaper for *2* consecutive *Weeks*, commencing on the *1* day of *Sept*, 19 *77*, and ending on the *8* day of *Sept*, 19 *77*, 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.

Carole Hedge

Subscribed and sworn to before me this *8* day of *Sept*, 19 *77*

Roberta M. Anley

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

10-08
LEADER

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 95-7772 Priority September 16, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that BERT &/or VIVENE C. NEAR
of Hayden Lake, Idaho, has complied with the terms and conditions of Permit
No. 95-7772 issued pursuant to Application for Permit dated August 5, 1977,
and has submitted proof to the Department of Water Resources on December 3, 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 0.04cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>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 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 50N,
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 $\frac{1}{4}$	
50N	3W	9																	

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 29 day of

May, 19 79.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CORRECTING THE PRIORITY
DATE OF PERMIT NO. 95-7772 IN THE NAME
OF BERT AND/OR VIVENE C. NEAR

ORDER

WHEREAS, on August 15, 1977, Bert and Vivene C. Near filed with the Department of Water Resources an application for permit to appropriate 0.04 cubic feet per second of water from a groundwater source to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$. Sec. 9, Twp. 50N, Rge. 3W B.M., Kootenai County, to be used for domestic purposes; and,

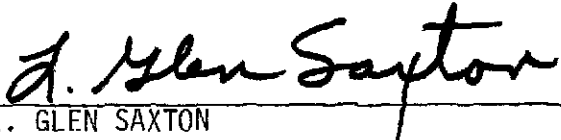
WHEREAS, proof of beneficial use of water was due on November 1, 1978; and,

WHEREAS, proof was submitted late on December 3, 1978; and,

WHEREAS, on December 20, 1978, the permit was reinstated and the priority advanced from August 5, 1977 rather than August 15, 1977, the date the application was submitted;

IT IS, THEREFORE, HEREBY ORDERED that the priority date is corrected to be September 16, 1977.

Dated this th26 day of February, 1979.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7772)
IN THE NAME OF BERT &/or VIVENE C.)
NEAR

ORDER OF REINSTATEMENT

WHEREAS, on August 5, 1977, Bert and Vivene C. Near filed with the Department of Water Resources an application for permit to appropriate 0.04 cubic feet per second of water from a groundwater source to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 50 N., Rge. 3 W., Kootenai County, to be used for domestic purposes; and,

WHEREAS, on October 7, 1977, the Department approved said application and issued Permit No. 95-7772 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before November 1, 1978; and,

WHEREAS, on August 31, 1978, the Department notified the permit holders by certified mail that proof of beneficial use was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, on November 7, 1978, the Department notified the permit holders that Permit No. 95-7772 had lapsed for failure to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on December 3, 1978,

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-7772 be REINSTATED and the priority advanced to September 6, 1977.

Dated this 20th day of December, 1978.


L. GLEN SAXTON
Chief, Operations Bureau

RECORDED

Identification No. _____

Application No. 95-7772

**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)

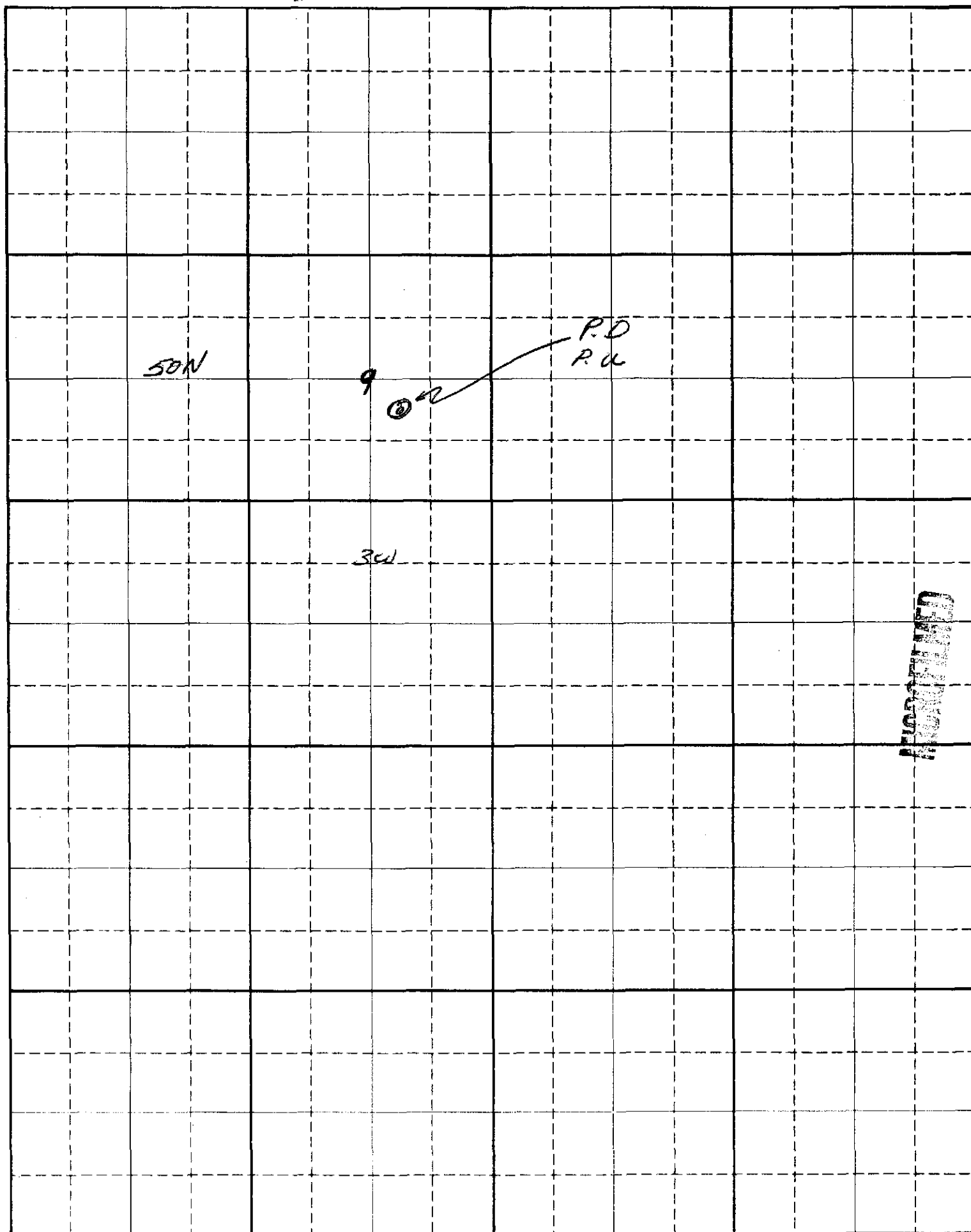
1. Name of applicant Bert and/or Vivene C. Near Phone: 772-3789
post office address Rt. 1, Box 110 N. Hayden Lake, ID
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 50N
Range 3W B.M. 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 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. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 6" well with pump and motor

- 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 6 inches; proposed depth of well is 250 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 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: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 50N
Range 3W 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 1.
(5) If water is to be used for other purposes describe: _____

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



Scale: 2 inches equal 1 mile

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.

Vivian C. Neav
(Applicant)

Corrected priority: September 16, 1977 (See Order dated 2/26/79)
Proposed priority date: August 5, 1977

Received by FE Date 8/5/77 Time 1:02 P
Preliminary check by FE Fee \$ 12.00
Receipted by FE Date 8/5/77 # 5230
Publication prepared by Alvin Date 8-18-77
Published in Alvin D. Allen, Jr.
Publication dates Sept 1 + Sept 8
Publication approved FE Date 9-6-77
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by FE

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. 95-7772, 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 November 1, 19 78.
c. Other: _____

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

Witness my hand this 7 day of October, 19 77.

Deputy Director

[Signature]

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bert &/or Vivene C. Near, Rt. 1, Box 110 N. Hayden Lake has on August 15, 1977 submitted Application No. 95-7772 for a permit to appropriate 0.04 cubic feet per second of water from ground water source by means of well and pump within the NW 1/4 SE 1/4 Sec. 9, T50N, R3W, B.M. Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NW 1/4 SE 1/4, Sec. 9, T50N, R3W, 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 September 19, 1977.

C. STEPHEN ALLRED
Director

Legal No. 538
Sept. 1, 8, 1977.

OK
9-16-77
B

STATE OF IDAHO,
County of Kootenai,

ss.

Carol 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 *Thurs* issue of said newspaper for *2* consecutive *Weeks*, commencing on the *1* day of *Sept*, 19 *77*, and ending on the *8* day of *Sept*, 19 *77*, 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.

Carol Hedge

Subscribed and sworn to before me this

8 day of *Sept*

19 77

Roberta M. Mink

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

10.08
LEADER

May 30, 1979

Re: Permit No. 95-7772

Bert &/or Vivene C. Near
Route #3, Box 672B
Coeur d'Alene, ID 83814

Dear Mr. & Mrs. Near:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

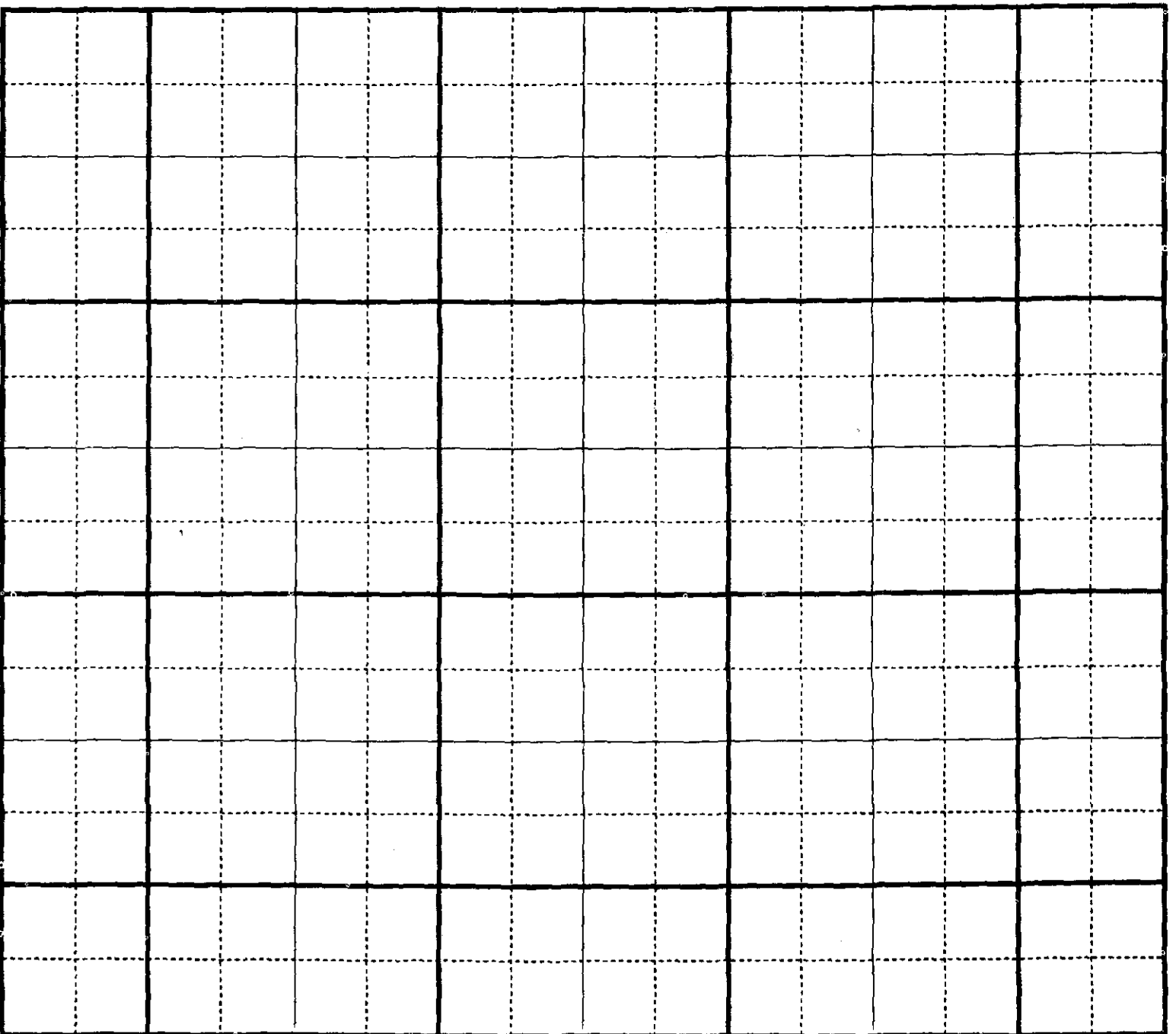
Enclosure

MICROFILMED

RECEIVED
JAN 5 1965

TOTAL ACREAGE _____

Diagram of System



DATE OF EXAM 4/11/79

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= Domestic AF/Ann. from 1-1 to 12-31
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. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:
One home @ 0.04 cfs & 1.2 AF/Ann

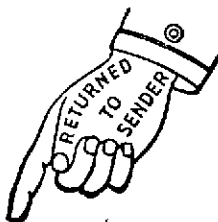
SYSTEM DESCRIPTION:
Well, submersible pump & pipe line

REMARKS:
Four house ~~there~~ no house House is there big!

Examiner's Signature [Signature] Date 4/30/79
Checked by Bob Haynes Date _____
Approved by _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

- ☒ Moved, left no address
☒ No such number
☒ Moved, not forwardable
☐ Addressee unknown



*to Bert Jansen
Dunbar, 83835*

Mr. & Mrs. Bert Near
Route 1, Box 110 N
Hayden Lake, ID 83835

RECEIVED

MAR 2 1979

Department of Water Resources

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



Bert and Vivene C. Near
~~Route 1, Box 110H~~
Hayden Lake, ID 83835

- ☐ Moved, tell no address
☐ No such number
☒ Moved, not forwardable
☒ Addressee unknown

RECEIVED

JAN 26 1979

Department of Water Resources

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

February 26, 1979

Re: Permit No. 95-7772

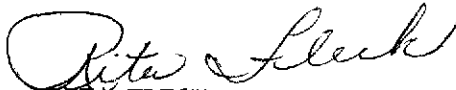
Bert &/or Vivene C. Near
Route 1, Box 110 N
Hayden Lake, ID 83835

Dear Mr. and Mrs. Near:

Enclosed is a copy of the Order correcting the priority date of Permit No. 95-7772.

The date of priority has been corrected to be September 16, 1977.

Sincerely,


RITA FLECK
Water Rights

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CORRECTING THE PRIORITY
DATE OF PERMIT NO. 95-7772 IN THE NAME
OF BERT AND/OR VIVENE C. NEAR

ORDER

WHEREAS, on August 15, 1977, Bert and Vivene C. Near filed with the Department of Water Resources an application for permit to appropriate 0.04 cubic feet per second of water from a groundwater source to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$. Sec. 9, Twp. 50N, Rge. 3W B.M., Kootenai County, to be used for domestic purposes; and,

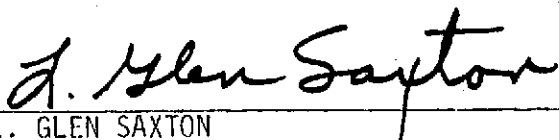
WHEREAS, proof of beneficial use of water was due on November 1, 1978; and,

WHEREAS, proof was submitted late on December 3, 1978; and,

WHEREAS, on December 20, 1978, the permit was reinstated and the priority advanced from August 5, 1977 rather than August 15, 1977, the date the application was submitted;

IT IS, THEREFORE, HEREBY ORDERED that the priority date is corrected to be September 16, 1977.

Dated this th26 day of February, 1979.


L. GLEN SAXTON

Chief, Operations Bureau

February 26, 1979

Re: Permit No. 95-7772

Bert &/or Vivene C. Near
Route 1, Box 110 N
Hayden Lake, ID 83835

Dear Mr. and Mrs. Near:

Enclosed is a copy of the Order correcting the priority date of Permit No. 95-7772.

The date of priority has been corrected to be September 16, 1977.

Sincerely,

RITA FLECK
Water Rights

RECEIVED



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

December 20, 1978

Bert &/or Vivene C. Near
Route 1, Box 110 N
Hayden Lake, Idaho 83835

Re: Permit No. 95-7772

Dear Mr. & Mrs. Near:

Enclosed is a copy of the Order reinstating your permit and advancing the priority date.

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

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

DEC 3 1978

Department of Water Resources
Northern District Office

1. a) Name of permit holder Burton H. and Vivene C. Near
b) Post office address Rt. 3, Box 672 B, Coeur d'Alene, Id.
2. Permit number 95-7772
3. Date of priority that you are prepared to establish Aug 5, 1977
4. a) Source from which water was appropriated Well
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9
Township 50N, Range 3W Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.04 for DOMESTIC purposes from JAN 1 to DEC 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

- b) Total amount appropriated 0.04 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:

By Bud Thornton, Associated Well Drillers

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:

- b) Describe the agreement of understanding by which you take water from the works: _____

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):

Seas Submersible pump

- b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

MICROFILMED

Form typed 12-22-78

Nov. 1, 1982

~~Notary Public~~

On this 4 day of December, 1978, personally appeared before me the

State of

07201

(Date)

12-4-78

(Signature)

Blaine near

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

Total number of acres irrigated

[illegible]

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

NW SE Sec 9 T-50N, R3W

Domestic Use of Household

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

ASSOCIATED WELL DRILLERS

But Thornton

c) Give well driller's name and address and the date the well was completed:



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

November 7, 1978

Bert and/or Vivene C. Near
Route 1, Box 110 N.
Hayden Lake, ID 83835

Dear Mr. and Mrs. Near:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 95-7772 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 August 31, 1978.

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.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

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

CERTIFIED MAIL

100186

August 31, 1978

Re: Permit No. 95-7772

Bert &/or Vivene C. Near
Route 1, Box 110 N.
Hayden Lake, ID 83835

Dear Mr. & Mrs. Near:

One of the conditions of approval of your water Permit No. 95-7772 (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 November 1, 1978. 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.

RITA FLECK
Water Rights

Encl: Proof affidavit

MICROFILMED

October 17, 1977

Re: Permit No. 95-7772

Bert and/or Vivene C. Near
Rt. 1, Box 110 N.
Hayden Lake, ID

Dear Mr. and Mrs. Near:

Enclosed is a copy of your approved Application for Permit No. 95-7772. 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
OCT 20 1977
FBI



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

August 25, 1977

RE: Applications No. 95-7773, 95-7772, 96-7603, 96-7604, 95-7775, 95-7776.

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)

[Handwritten signature]
9-15-77
B

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Near

☒ 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 No Map
☒ Signature
☒ Fee

(1) JK 8-17-77

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) JK 8-17-77

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) _____

Affidavit of Publication received(date) 9-16-77

(12) _____

Final date for protests September 1977
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

8-15-77 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 Beeb Haynes

Date 9-19-77

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bert &/or Vivene C. Near

Rt. 1, Box 110 N. Hayden Lake

has on August 15, 1977 submitted Application No. 95-7772

for a permit to appropriate 0.04 cubic feet per second ~~acre feet per annum~~
of water from groundwater source

by means of well and pump

within the NW1/4 Sec 9, T30N, R3W B.M. Kootenai County

to be used from Jan 1 to Dec 31

for domestic purposes

within the NW1/4, Sec 9, T30N, R3W 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 September 19, 1977.

C. STEPHEN ALLRED
Director

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

on September 1 and September 8, 1977



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

August 18, 1977

**Mr. and Mrs. Bert Near
Rt. 1, Box 110 N.
Hayden Lake, ID 83835**

Dear Mr. and Mrs. Near

Attached is your receipt No. **5730** in the amount of **\$10.00** for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment