

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bernard Ballard &/or Kenneth W. McChesney, P.O. Box 275, Post Falls, ID, has on August 15, 1977 submitted Application No. 95-7768 for a permit to appropriate 0.04 cubic feet per second of water from a groundwater source by means of a well, pump & pipeline within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, T50N, R5W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes for 2 households within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, 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 September 12, 1977.

C. STEPHEN ALLRED
Director

Legal No. 506
Aug. 25, Sept. 1, 1977

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 *25* day of *Aug*, 19*77*, and ending on the *1* 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 *1* day of *Sept*, 19*77*.

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

1044
LEADER

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7768 Priority August 15, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that BERNARD BALLARD &/or KENNETH W. MCCHESENEY
of Post Falls, Idaho, has complied with the terms and conditions of Permit
No. 95-7768 issued pursuant to Application for Permit dated August 15, 1977,
and has submitted proof to the Department of Water Resources on September 11, 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 0.04 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
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>2.4 acre feet</u>
_____	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
2.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, 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	4									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 29 day of

May, 19 79.

Director

MICROFILMED

Identification No. _____

Application No. 95-7768

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)

Mc Chesney

1. Name of applicant Bernard Ballard &/or Kenneth W Phone: 773-9283

post office address PO Box 275, Post Falls, Id

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 50N
Range 5W B.M. Kootenai County; additional points of diversion if any: _____
Lot #5 Parcel II of River Ranchetts

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, 125' deep with pump & 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 125 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: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 50n
Range 5W B.M. AKA Lot 3,4,&5 River Ranchette

(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 2.

(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.

SON

4

5W

well place

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 Bernard Ballard
(Applicant)

8/15/77 Proposed Priority

Received by Date 8/15/77 Time 2:00p
Preliminary check by Fee \$ 10.00
Received by Date 8/15/77
Publication prepared by Date 8-17-77
Published in Land Use News
Publication dates 8-25-77-1-77
Publication approved 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

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. 95-7768, 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 day of November, 19 77.

Director

AFFIDAVIT OF PUBLICATION

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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 September 12, 1977.

C. STEPHEN ALLRED
Director

Legal No. 506
Aug. 25, Sept. 1, 1977

STATE OF IDAHO,
County of Kootenai,

} ss.

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upon oath deposes and says:

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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

1 day of

Sept

1977.

Roberta Manley

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

1044
LEADER

May 31, 1979

Re: Permit No. 95-7768

Bernard Ballard &/or Kenneth W. McChesney
P.O. Box 275
Post Falls, ID 83854

Dear Sirs:

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

1. Name of person

Person to contact
Department of Water Resources
Northern District Office
2. Source of work

SEP 28 1977 Post office address Rt 2, Box 261, Post Falls, Id Phone 773-9283

Person to contact _____ Phone _____

Tributary to _____

Other uses: _____

Permit No. 95-7768
Examination for 6/4

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

Other Points of Diversions: _____

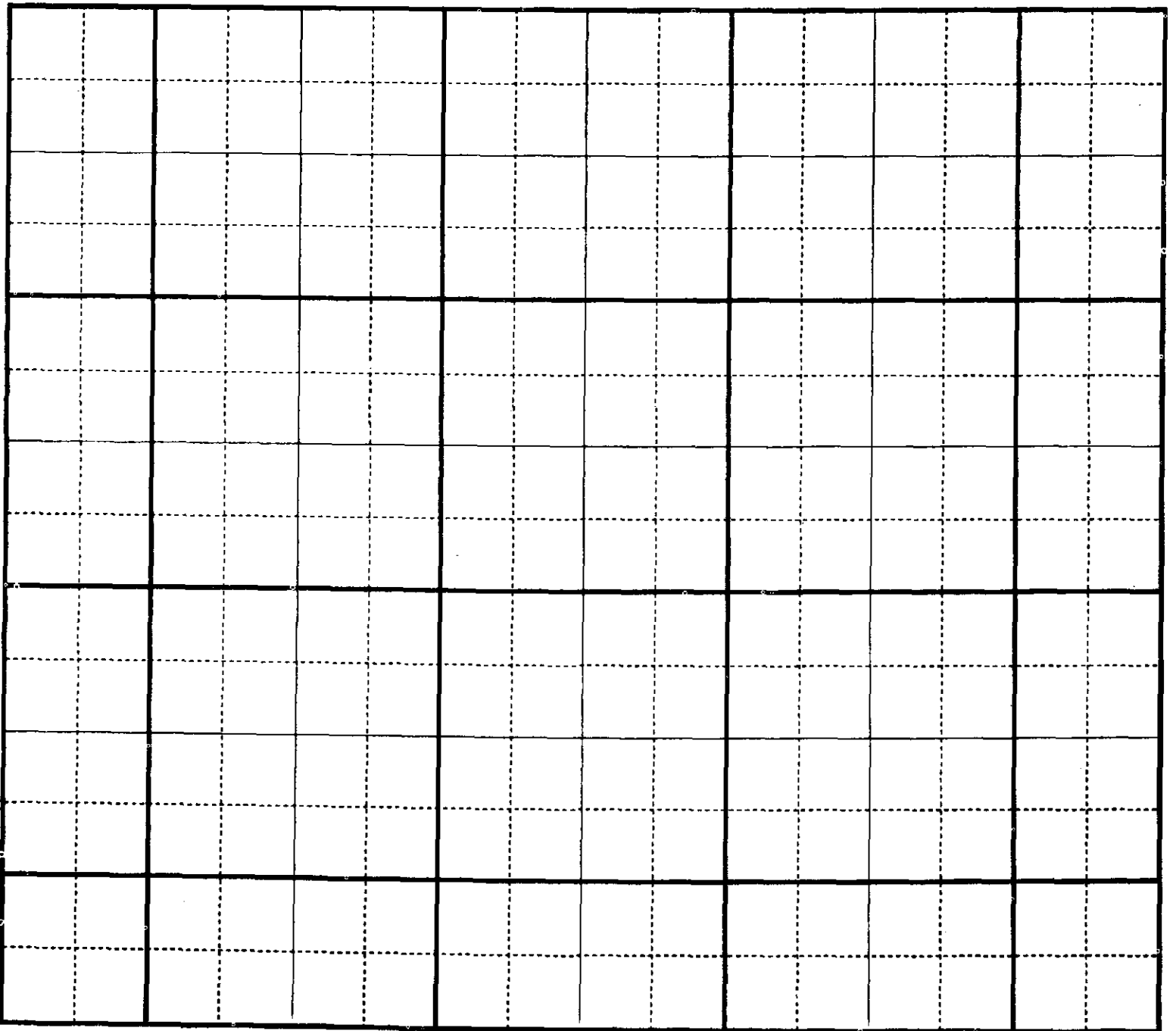
Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use. lots 3, 4 & 5, River Ranchette

[illegible]

TOTAL ACREAGE _____

Diagram of System



DATE OF EXAM 3-2-79

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=2.4 AF/Ann. from Jan 1 to Dec 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 ☒ Method of measurement _____

Total Q recommended 0.04 Meter No. _____ Type _____ Condition _____

Total V recommended 2.4

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:
124' X 6" well, pump & pipeline

REMARKS:
Contacted Mrs Ballard - pump house in front lawn
well behind
(Mr McChestney requests that we send a copy of license to each
licensee)

Examiner's Signature J. D. King Date 3-2-79

Checked by Bob Haynes Date 3-5-79

Approved by _____ Date _____



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

September 18, 1978

Bernard Ballard &/or Kenneth W. McChesney
Route 2, Box 261
Post Falls, ID 83854

Gentlemen:

Re: Permit No. 95-7768

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,

RITA FLECK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

SEP 11 1978
Department of Water Resources

1. a) Name of permit holder BERNARD BAUMHOLD & OR KENNETH W. MCCHESNEY
b) Post office address ROUTE #2; BOX 261 OR 261A POST FALLS, ID. 83854
2. Permit number 95-7768
3. Date of priority that you are prepared to establish 8/15/77
4. a) Source from which water was appropriated GROUNDWATER
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 4
Township 50N, Range 5W Boise Meridian. Other points of diversion: KOOTENAI COUNTY; LOT #5 PARCEL II OF RIVER RANCHETTES
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:

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:
6" WELL, 124' DEEP, WITH PUMP & MOTOR

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):
6" WELL, 124' DEEP. — 1 1/2 HP RED JACKET PUMP, SET AT 117'
ON 1 1/4" GALV. PIPE. — PITLESS ADAPTER AND CAP.
252 WELL X TROL. — 100 AMP. METER BASE, METER LOOP & DISCONNECT.
b) Describe the provision for making a measurement which you have at your point of diversion:
(i.e., installed measuring device, access port, other)

9/18/78
MICROFILMED

Stefano

Mr. D. C. F. (left)
Mr. D. C. F. (right)

John D. ...

Sept 1890

W. J. F. M.

[Handwritten signature]

(Date)

9778

Bernard Ballak

— Lot 5 + Parcel 4 is known as Parcel Two.)

LOT 5 AND OTHER PART OF LOT 4. (LOT 3 + PART OF 4 IS KNOWN AS PARCEL ONE.

MAINTAINED BY TWO FAMILIES; BEANARD + MYER BEANARD - LOT 3,

THIS WELL AND PUMPING SYSTEM IS MUTUALLY OWNED AND

[illegible]

2 FAMILIES TO BE SUPPLIED.

B.M. AKA. LOTS 3, 4, 5 RIVER RANCHETTE

Domestic: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 4, Township 50 N, Range 5

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

DEER PARK, WASH. 99006 - Ph. 276-6278

MINDEN Well Drilling: Rt. 3, Box 184-D

(c) Give well driller's name and address and the date the well was completed: Completed April 26, 19



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

August 31, 1978

Re: Permit No. 95-7768

Bernard Ballard &/or
Kenneth W. McChesney
P. O. Box 275
Post Falls, ID 83814

Gentlemen:

One of the conditions of approval of your water Permit No. 95-7768 (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

RECEIVED
SEP 11 1978
BOISE, IDAHO

November 2, 1977

Re: Permit No. 95-7768

Bernard Ballard &/or Kenneth W. McChesney
P. O. Box 275
Post Falls, ID 83854

Dear Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 95-7768 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7768 MC Chesney

☒ 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) SR 8-16-77

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) TR 8-16-77

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) 9-6-77

(12) _____

Final date for protests 9-12-77

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 _____

NO Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Thomas

Date 9-14-77



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 18, 1977

RE: Applications No. 95-7765, 95-7766, 95-7770, 95-7769, 95-7771, 95-7767,
95-7768, & 96-7600.

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.

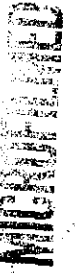
Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

Bill Haynes
9-6-77
B



NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bernard Ballard &/or Kenneth W McCheaney

PO Box 275, Post Falls, Id

has on August 15, 1977 submitted Application No. 95-7768

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

by means of a well, pump & pipeline

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

to be used from Jan 1 to Dec 31 for domestic purposes

~~xx for~~

within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 4, T50N, R5W, B.M.

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C. STEPHEN ALLRED
Director

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

on August 25 and September 1, 1977

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IDAHO DEPT. OF
WATER RESOURCES