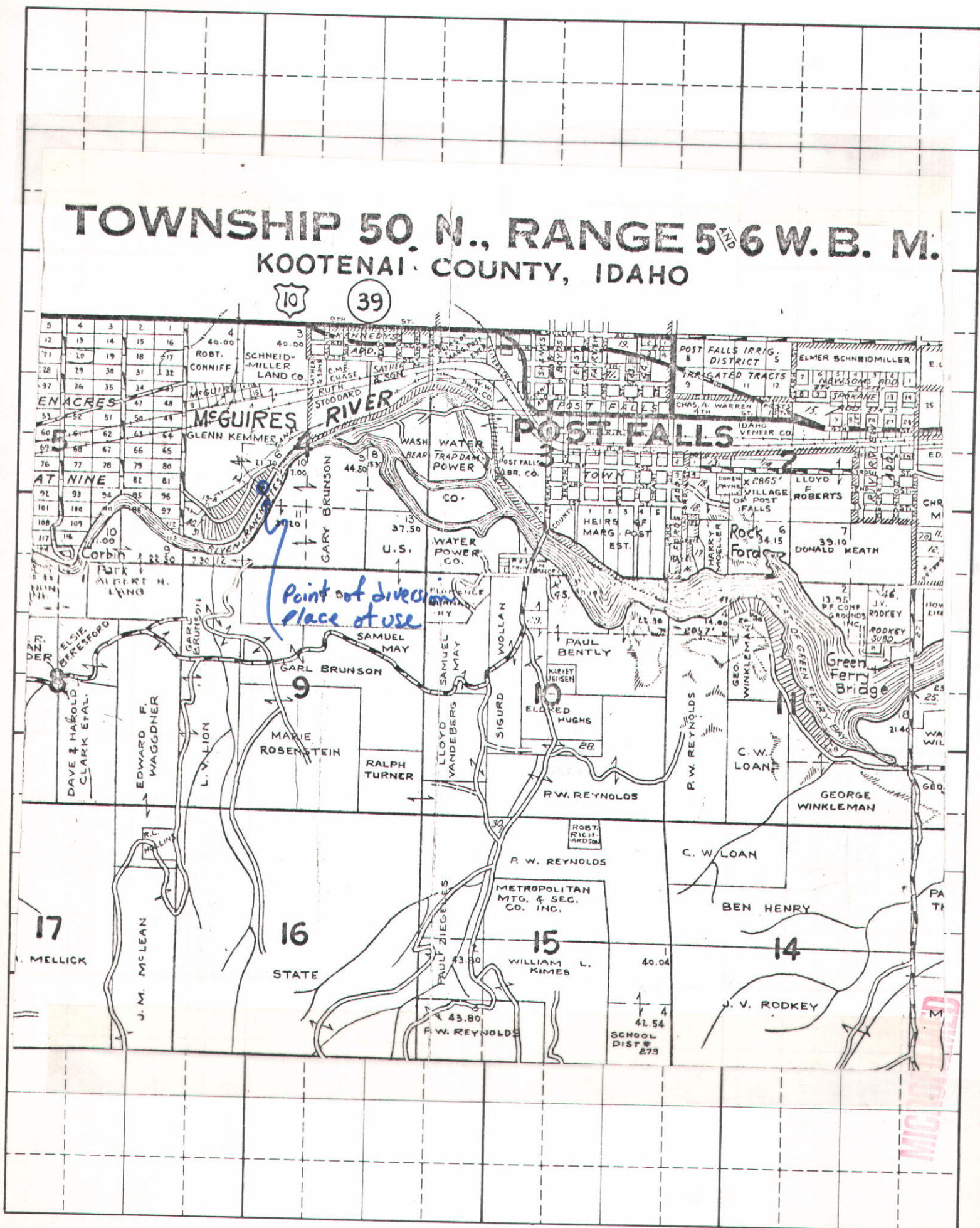
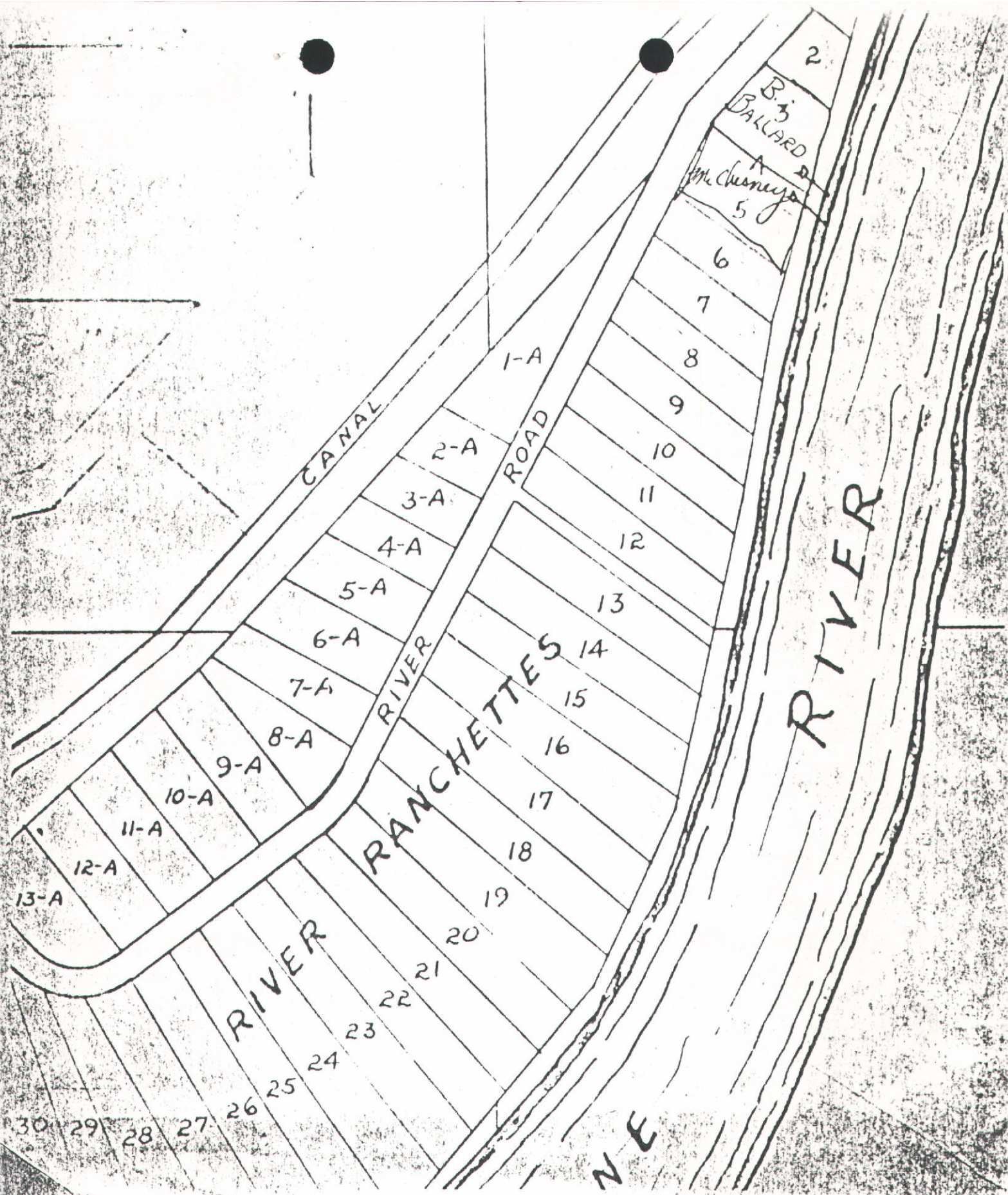


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Bernard Ballard
 (Applicant)



MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7761 Priority August 5, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that BERNARD BALLARD
of Post Falls, Idaho, has complied with the terms and conditions of Permit
No. 95-7761 issued pursuant to Application for Permit dated August 5, 1977,
and has submitted proof to the Department of Water Resources on October 15, 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 Spokane River,
tributary to Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	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 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 30 day of

July, 19 80.

Director

RECEIVED

Identification No. _____

Application No. 95-7761

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 Bernard Ballard Phone: 773-9283
post office address P.O. Box 275 Post Falls, ID

2. Source of water supply Spokane River 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 #3 and East part of # 4 River Ranchettes

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. pump and pipeline

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: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 50N
Range 5W B.M. _____

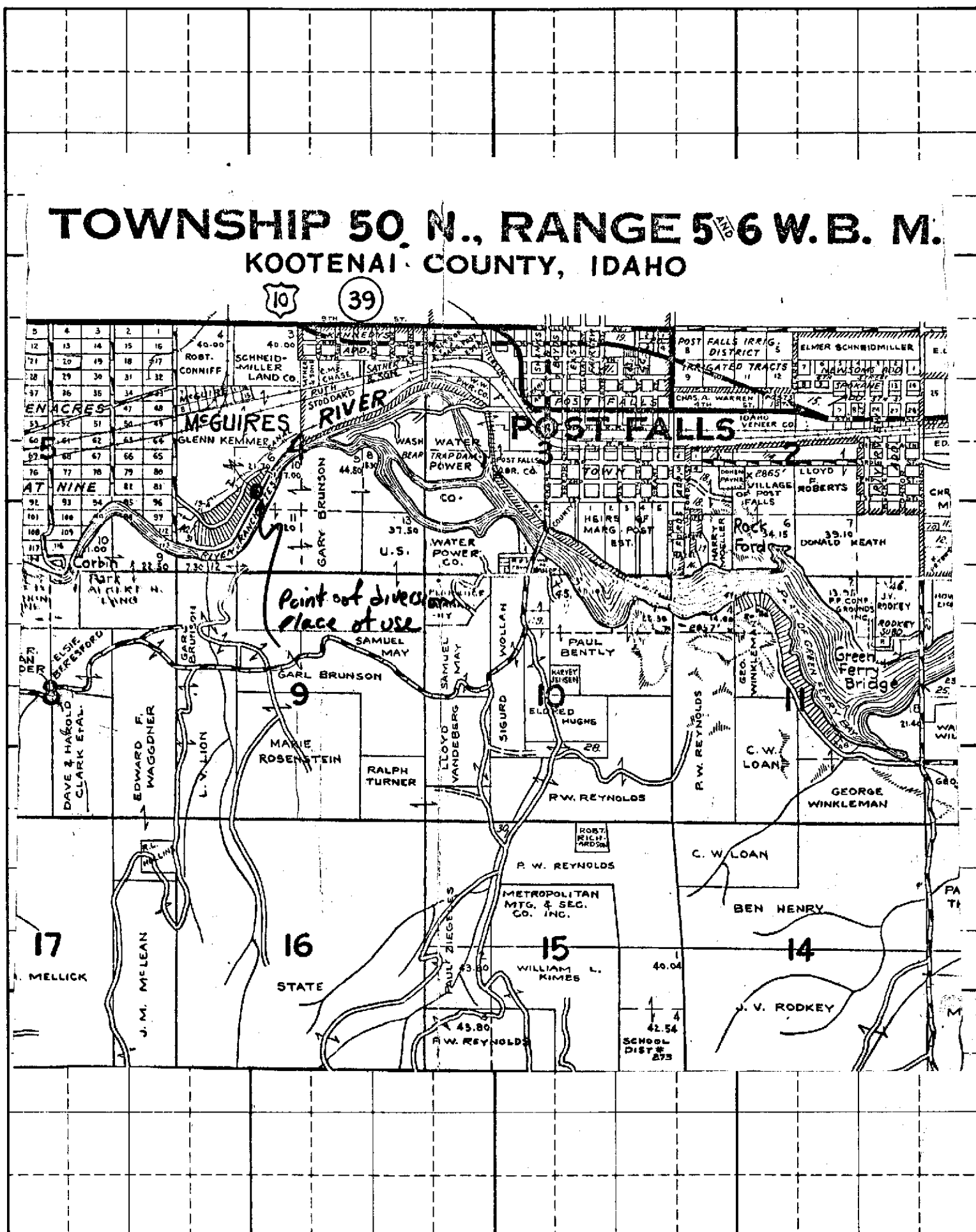
(2) Amount of power to be generated: _____ hp under _____ feet of head.

(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 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.

Bernard Ballard
(Applicant)

Expedited Priority 8-5-77

Received by Date 8/5/77 Time 2:00p
Preliminary check by Fee \$ 10.00 #5206
Received by Date 8/5/77
Publication prepared by Date 8-8-77
Published in Journal of Water Resources
Publication dates 8-18 - 8-25-77
Publication approved SDW Date 9-2-77
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. 95-7761, 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 September 1, 1982.

c. Other:

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

Witness my hand this 23 day of September 19 77.

Deputy Director

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bernard Ballard P.O. Box 275 Post Falls, ID has on August 5, 1977 submitted Application No. 95-7761 for a permit to appropriate 0.04 cubic feet per second of water from Spokane River by means of pump and pipeline within the NE 1/4 Sec. 4, T50N, R3W, B.M. Kootenai County to be used from Jan. 1 to Dec. 31 for Domestic purposes within the NE 1/4 Sec. 4, 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 5, 1977.

C. STEPHEN ALLRED
Director

August 18, 25, 1977
Legal 479

STATE OF IDAHO, } ss.
County of Kootenai

Sandra Newlan 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

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 18th day of August, 1977, and ending on the 25th day of August, 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 Newlan

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.

OK SDW
9-2-77

1008



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

July 31, 1980

Bernard Ballard
P.O. Box 275
Post Falls, Idaho 83854

Dear Mr. Ballard,

RE: License No. 95-7761

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES

FIELD REPORT

RECEIVED

APR 11 1980

95-7761

Permit No.

CONTACT WITH PERMIT HOLDER

Department of Water Resources

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:

See 7762

☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

EXAMINATION

Date 3-31-80

Accompanied by Mr. M. E. Chesney

Total Q measured

If source is surface water, estimate total flow of source

Methods of measurement

Meets Permit requirements?

yes

Measurement calculations:

one home

22-1

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	2	DAYTON	LR22132	HYDRO				motor 114.1 5K961D

System Description

pump with 1/4" intake & outlet to 5 faucets.

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

RECOMMENDED AMOUNTS

Irrigation requirement =

AFA/Acre

USE

Q (cfs)

V (afa)

FROM

TO

Domestic

0.04

1.2

3-15

11-15

Total

0.04

1.2

Remarks

Mr. Ballard is at present borrowing system from Mr. M. E. Chesney

RECEIVED

MAP (Attach Aerial Photo)

SCHEMATIC DIAGRAM OF SYSTEM

Point(s) of diversion: _____

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	

Recommended Amendments:

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
- ☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

Examiner's Signature King
 Checked by Bob Harper
 Approved by _____

Date 4-1-80
 Date 4/11/80
 Date _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

RECEIVED

OCT 16 1979

Department of Water Resources

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

October 15, 1979

Mr. Bernard Ballard
West 13080 Breezy Way (Old McGiure Road)
Post Falls, ID 83854

RE: 95-7761

Dear Mr. Ballard:

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

TOM D. KING
Senior Water Resource Agent

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. 95-7761

Name(s) of Permit Holder: Bernard Ballard

Post Office Address: West. 13080 Breezy Way (Old McGuire Road)

Post Falls, Idaho 83854

Source of Water: Spokane River

Extent of Use: ☒ Domestic 1
☐ Stockwater _____
☐ Irrigation _____
☐ Other _____

(number of households)

(number and type of stock)

(acres)

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.

October 15, 1979

Date

Bernard Ballard

Signature of Permit Holder

OCT 15 1979

RECEIVED
MICROFILM

PLACE
TEN CENT
STAMP
HERE

RECEIVED

OCT 17 1979



Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



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

13 September 1977

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

RE: 95-7761
Bernard Ballard
Temporary Permit No. 1433

Dear Bob:

The Department of Lands has no objections to the work described in the above numbered water diversion application.

A copy of our Temporary Permit No. 1433 for the installation and maintenance of the intake line and pump is enclosed for your information.

Very truly yours,

DIVISION OF EARTH RESOURCES

WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

Attachment

cc: Bureau of Navigable Waters - CdA

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
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SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

TEMPORARY PERMIT

NO. 1433

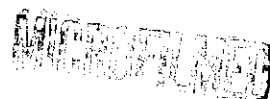
Permission is hereby granted to BERNARD BALLARD of P.O. Box 275, Post Falls, ID, to install and maintain an intake line and pump on and across the following described land:

The bed of the Spokane River adjacent to Lot 3 and Tax No. 10539, Section 4, Township 50 North, Range 5 West, B.M., as described on attached Exhibit A.

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, 1981, 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 of non-compliance with the terms herein and failure of the permittee to correct noted non-compliance.

EQUAL OPPORTUNITY EMPLOYER



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 12th day of September, 1977.

BERNARD BALLARD


G.C. TROMBLEY, Director

Bernard Ballard

8/16/77
Dated

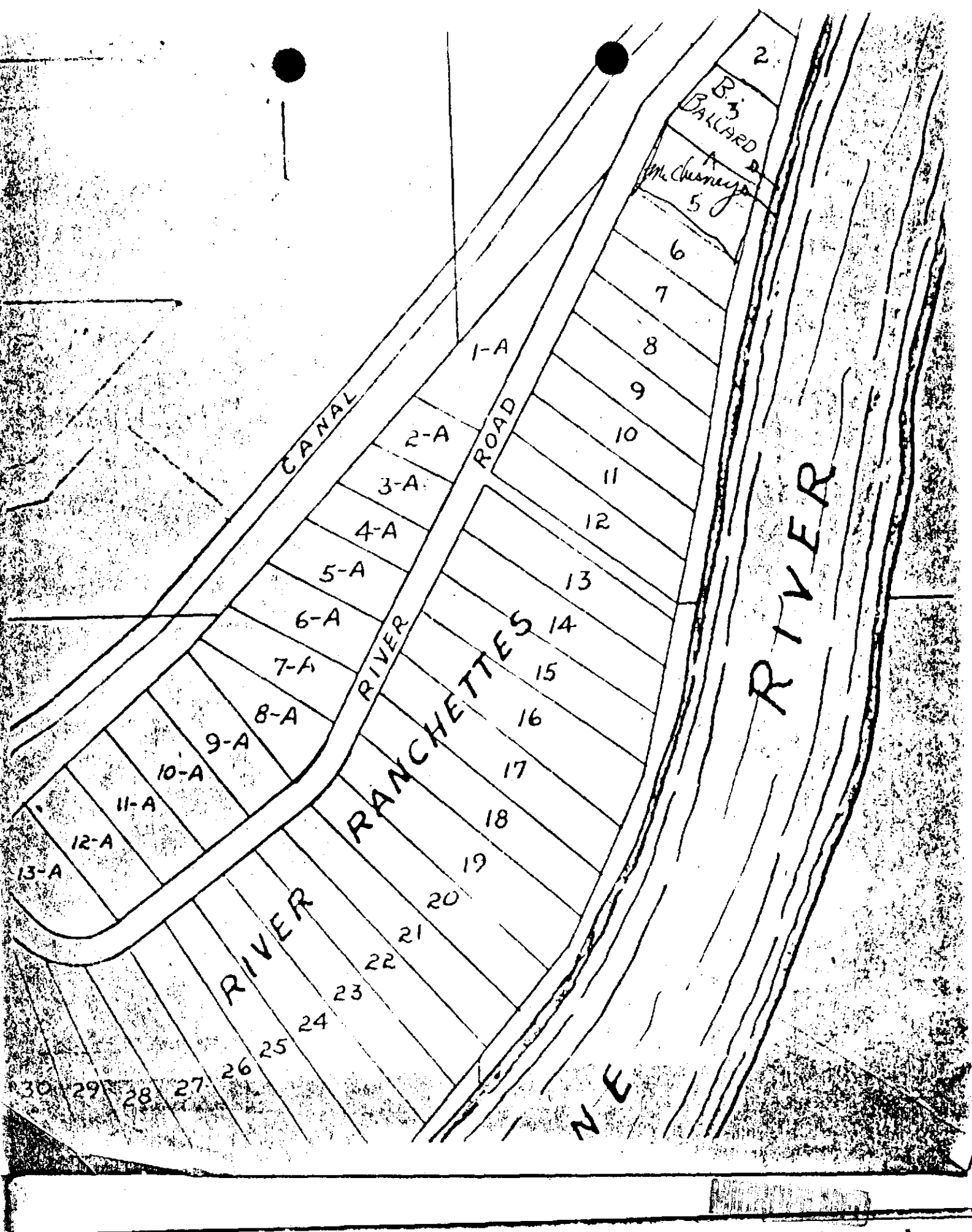
EXHIBIT A

Tax No. 10,539

Book 284, Page 125 - 7/8/77

That portion of Lot 4, Riverview Ranchettes, Kootenai County, Idaho, according to the recorded plat described as follows: Beginning at the most southerly corner of said Lot 4; thence along the easterly line of Lot 4, North $16^{\circ}53'$ East, 37.5 feet; thence North $62^{\circ}26'$ West, 160.0 feet to the northwesterly line of said Lot 4; thence along said Northwesterly line, South $28^{\circ}08'$ West, 16.5 feet, to the most westerly corner of said Lot 4; thence along the southwesterly line of said Lot 4, South $55^{\circ}29'$ East, 168.5 feet to the point of beginning. Parcel Two containing 0.37 acre of land.

MICROFILMED



September 29, 1977

Re: Permit No. 95-7761

Bernard Ballard
P. O. Box 275
Post Falls, ID 83854

Dear Mr. Ballard:

Enclosed is a copy of your approved Application for Permit No. 95-7761 . 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

RECORDED
INDEXED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Ballard

☒ 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 8-5-77

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) RWH 8-5-77

☒ Sandoz
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 8-5-77

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) SW 9-2-77

Affidavit of Publication received(date) 9-2-77

(12) _____

Final date for protests Sept 5
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

8-5-77 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 B. B. Haynes Date 9-6-77



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

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

10 August 1977

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

RECEIVED

AUG 12 1977

Department of Water Resources
Northern District Office

RE: 95-7761 - Bernard Ballard
95-7762 - Kenneth W. McChesney

Dear Bob:

Thank you for the copies of the above numbered water diversion applications. The installations will require an easement or temporary permit from the Department of Lands.

The applicants are being advised of the additional permit required by this Department.

Very truly yours,

DIVISION OF EARTH RESOURCES

William A. Scribner
WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

cc: Bureau of Navigable Waters - CdA

EQUAL OPPORTUNITY EMPLOYER



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
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RECEIVED

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DIVISION OF EARTH RESOURCES

William A. Scribner
WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

cc: Bureau of Navigable Waters - CdA

EQUAL OPPORTUNITY EMPLOYER



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 11, 1977

RE: Applications No. 95-7762, 95-7761, 95-7763, 96-7595, 95-7764.
Corrections No. 95-7754, 95-7753, 94-4032.

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 received
9-2-77
OK - [signature]

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bernard Ballard

P.O. Box 275 Post Falls, ID

has on August 3, 1977 submitted Application No. 95-7761

for a permit to appropriate 0.04 cubic feet per second ~~xxxxxx feet per second~~
of water from Spokane River

by means of pump and pipeline

within the NE 1/4, Sec 4, T50N, R5W B.M. Kootenai County

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

~~xfer~~

within the NE 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 5, 1977.

C. STEPHEN ALLRED
Director

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

on August 18 and August 25, 1977

August 3, 1977

Re: Application for Permit No. 95-7761 Ballard ✓
95-7762 McChesney

Mr. William A. Scribner
Idaho Department of Lands
Statehouse Boise, ID 83720

Dear Bill:

Enclosed is a copy of the above referenced applications which may be of interest to your agency. These filings involve waters which appear to be navigable.

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

Very truly yours,

T
ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/edw

Enclosures