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Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7753 Priority July 13, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that DANIEL K. OYLER
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 95-7753 issued pursuant to Application for Permit dated July 13, 1977,
and has submitted proof to the Department of Water Resources on October 6, 1977,
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>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. 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															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 27 day of
March, 19 79.

Deputy Director

Identification No. _____

95-7753

Application No. _____

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 DANIEL K. OYLER Phone: 664-3352
post office address P.O. BOX 179, COEUR D'ALENE, IDAHO 83814

2. Source of water supply GROUND WATER which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ 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 .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. .04 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. $\frac{1}{2}$ HP 230V SUBMERSIBLE
PUMP SET AT 130', 1" PLASTIC DISCHARGE LINE, CONTROLLED
BY 40-60 PSI SWITCH, 80 PSI SAFETY SWITCH, LIQUID LEVEL
CONTROLL, 150' 1" PVC FROM WELL TO STORAGE TANK.

b. Height of storage ~~dam~~ BURIED STORAGE TANK feet, active reservoir capacity 1000 GAL, ~~acre-feet~~, total reservoir
capacity 1000 GAL ~~acre-feet~~, materials used in storage dam: CONCRETE

Period of year during which storage will occur JAN. 1 to DEC. 31 inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 6" inches; proposed depth of well is 200' 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 \$ 74,000.

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 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 NONE

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

(5) If water is to be used for other purposes describe: _____

RECEIVED
JAN 10 1995

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.

Daniel Z. Ogler
(Applicant)

Proposed Priority 7-13-77

Received by AS Date 7/19/77 Time AS
Preliminary check by AS Fee \$ 10.00
Received by AS Date 7/13/77 # 5652
Published in Journal of Water Power
Publication prepared by AS Date 7-14-77
Publication dates 7-28 - 8-4-77
Publication approved AS Date 9-3-77
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WJG

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. 95-7753, 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, 19 82.

c. Other: _____

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

Witness my hand this 23 day of September, 19 77.

Deputy Director

[Signature]

AFFIDAVIT OF PUBLICATION

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 96-7753 in the name of Daniel K. Oyler was advertised incorrectly on July 28 and August 4, 1977. The place of use was advertised as being within the SE 1/4 SE 1/4 Sec. 9, T50N, R3W, B.M. Whereas, the actual place of use is within the SW 1/4 SE 1/4 Sec. 9, T50N, R3W, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id 83814 on or before September 5, 1977.

C. STEPHEN ALLRED
Director

August 18, 24, 1977
Legal 476

STATE OF IDAHO, } ss.
County of Kootenai,

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 correction

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 24th 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 Nowlan

Subscribed and sworn to before me this 1 day of Sept

7.9.77, 1977.

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

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Daniel K. Oyler, P. O. Box 179, Coeur d'Alene, Idaho has on July 13, 1977 submitted Application No. 95-7753 for a permit to appropriate 0.04 cubic feet per second of water from Groundwater source by means of well, pump and pipeline within the SW 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 SE 1/4 SE 1/4, Sec. 9, T 50N, 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 August 15, 1977.

C. STEPHEN ALLRED
Director

Legal 397
July 28, Aug. 4, 1977

STATE OF IDAHO,
County of Kootenai,

} ss.

Daniel K. Oyler 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 Thursday issue of said newspaper for 2 consecutive weeks commencing on the 28 day of July, 19 77, and ending on the 1 day of Aug, 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.

Subscribed and sworn to before me this

4 day of August
19 77.

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

0.04
LEADER



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

March 28, 1979

RE: Permit No. 95-7753

Daniel K. Oyler
P. O. Box 179
Deer d'Alene, ID 83814

Dear Mr. Oyler:

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

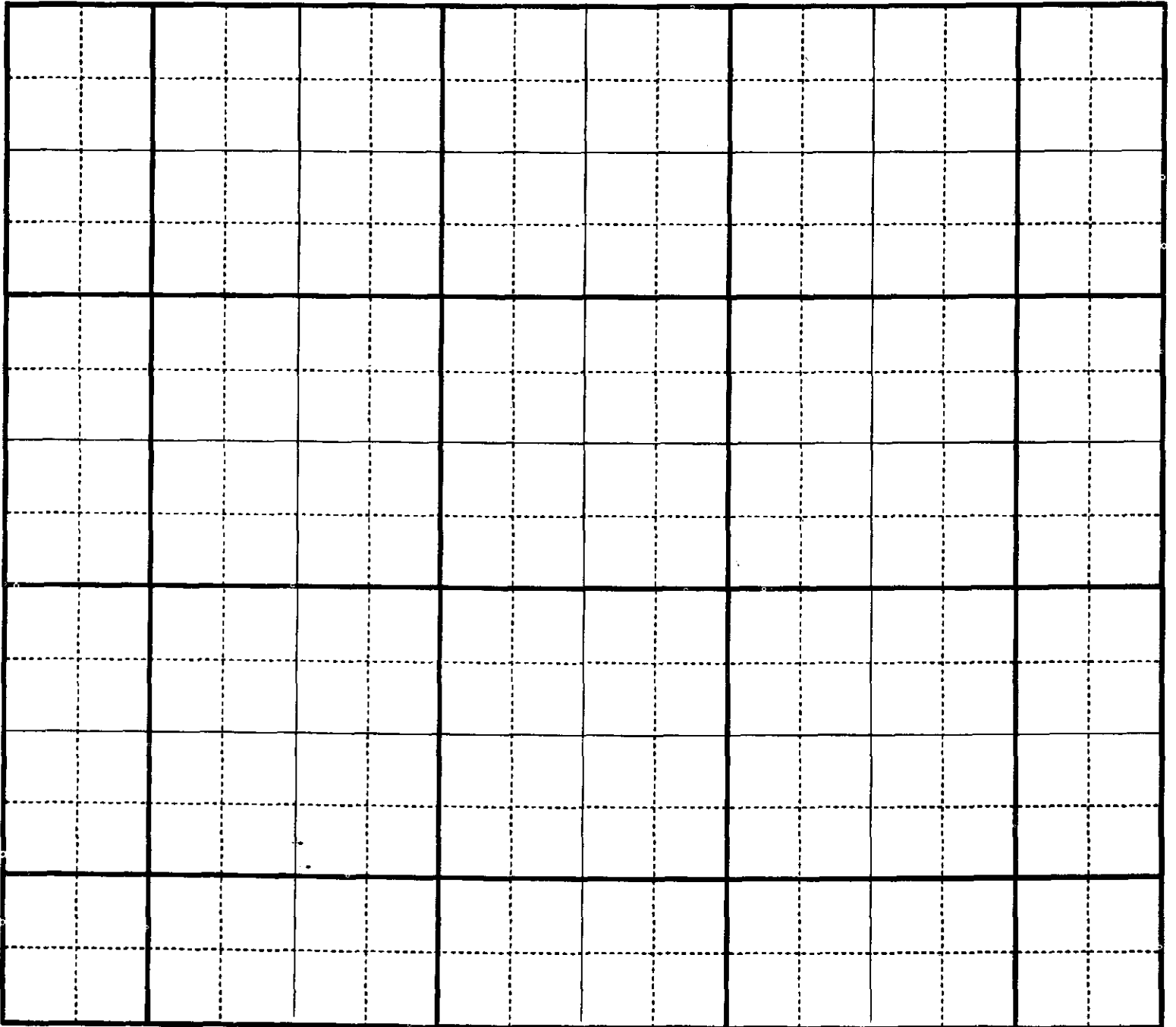
Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED

Diagram of System



DATE OF EXAM 7/10/78

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.04 c.f.s. V= 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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 Made 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 hour @ 0.04 cfs = 1.2 AF/Ann

SYSTEM DESCRIPTION:

Well Submersible pump & pipeline to place of use

REMARKS:

Contacted Mrs. Oyler

Examiner's Signature Tom King Date 7/10/78

Checked by Bob Haynes Date 7/18/78

Approved by _____ Date _____

November 9, 1977

Re: Permit No. 95-7753

Daniel K. Oyler
P. O. Box 179
Coeur d'Alene, ID 83814

Dear Mr. Oyler:

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

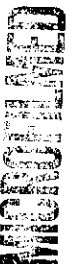
Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

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

Sincerely,

JANICE RENK
Water Rights Bureau

/jr



Identification No. _____

Permit No. 95-7753

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Daniel K. Oller

b) Post Office Address P.O. Box 179 Cda, Id.

2. Permit Number _____

3. Date of Priority that you are prepared to establish 7/13/77

4. a) Source from which water was appropriated Groundwater

b) Location of the point of diversion: SW 1/4 SE 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 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 0.04 cfs 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: estimated

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

N/A

b) Describe the agreement or understanding by which you take water from the works:

N/A

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 1/2 hp submersible pump and meter

b) Describe the type and size of measuring device which you have installed at your point of diversion:

None

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

Oliver Drilling Cda, MAY

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

Domestic for 1 household

Exam typed 11/8/77 by J

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

7-13-22

(Date)

x Daniel K. Ogler

(Signature)

State of Idaho

County of Vernon

)

) ss.

)

On this 13 day of July, 1922, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

John B. Burt

Notary Public residing at Kathlamet, WA

My commission expires September

September 30, 1977

Re: Permit No. 95-7753

Daniel K. Oyler
P. O. Box 179
Coeur d' Alene, ID 83814

Dear Mr. Oyler:

Enclosed is a copy of your approved Application for Permit No. **95-7753**. 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. _____

☒ 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) FE 7/13/77

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) FE 7/13/77

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) ADW 9-2-77

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

(12) _____

Final date for protests 8-15-77
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

713-77 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 Bob Haynes Date 9-6-77



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 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 SDW*

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit no. 95-7753 in the name of Daniel K Oyler was advertised incorrectly on July 28 and August 4, 1977. The place of use was advertized as being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 9, T50N, R3W, B.M. Whereas, the actual place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 9, T50N, R3W, B.M.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id 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 24, 1977.

Newspaper error--no \$111.



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

July 21, 1977

RE: Applications No. 95-7754, 95-7753.
Claim No. 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)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Daniel K Oyler

P.O. Box 179, Coeur d'Alene, Idaho

has on July 13, 1977 submitted Application No. 93-7753

for a permit to appropriate 0.04 cubic feet per second ~~from the open stream~~
of water from Groundwater source

by means of well, pump and pipeline

within the SW $\frac{1}{4}$ 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 SW $\frac{1}{4}$ 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 August 15, 1977.

C. STEPHEN ALLRED
Director

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

on July 28 and August 4, 1977