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Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7744 Priority June 21, 1977 Amount 0.02 cfs

THIS IS TO CERTIFY, that John W. &/or Bernadine Tull
of Rathdrum, Idaho, has complied with the terms and conditions of Permit
No. 95-7744 issued pursuant to Application for Permit dated June 21, 1977,
and has submitted proof to the Department of Water Resources on September 12, 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 0.02 cfs of water from a ground water 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>0.02</u> cfs and	<u>1.2 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 0.02 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 $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 51N,
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 $\frac{1}{4}$	
51N	5W	10	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

126

Identification No. _____

Application No. 95-7744

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 John W &/or Bernadine Tull Phone: _____
post office address Rt 3 Box 188A, Rathdrum, Id 83858

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

3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 51N
Range 5W B.M. Kootenai County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.02 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. 0.02 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
well, pump & pipeline to place of use

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 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 \$ _____.

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 NE $\frac{1}{4}$ of Section 10 Township 51N
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: _____

RECEIVED
JAN 10 1995
IDAHO DEPT. OF WATER RESOURCES

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

SEC 10
T51N
R5W

1150000 (1000000)

Bernadine Tull

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.

Bernadine Tull
(Applicant)

Proposed Priority 6/21/77

Received by B Date 6-21-77 Time 2 PM

Preliminary check by B Fee \$ 10.00

Received by B Date 6-21-77 (5598)

Publication prepared by B Date 6-21-77

Published in Canal News Service

Publication dates 6-30-77

Publication approved by B Date 7-14-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by lck

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. 95-7744, 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 August 1, 19 82.

c. Other: _____

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

Witness my hand this 22 day of August, 19 77.

Deputy Director

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that John W. &/or Bernadine Tull, Rt. 3 Box 188A, Rathdrum, Id., has on June 21, 1977 submitted Application No. 95-7744 for a permit to appropriate 0.02 cubic feet per second of water from a groundwater source by means of a well pump & pipeline within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, T51N, R5W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, T51N, 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 July 18, 1977.

C. STEPHEN ALLRED
Director

Legal No. 306
June 30, July 7, 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 issue of said newspaper for 2 consecutive weeks commencing on the 30 day of June, 1977, and ending on the 7 day of July, 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.

Carol Hedge

Subscribed and sworn to before me this

7

day of

July

19 77

Roberta Mankley

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

10.08

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. 95-7744

Mr. & Mrs. John W. Tull
Route 3, Box 188A
Rathdrum, ID 83858

Dear Mr. & Mrs. Tull:

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

RECEIVED

OCT 11 1950

Department of Water Resources
Northern District Office

3. Water will be used for the following purposes:

Other uses: _____

- Township 51N N/S, Range 5W E/W, B.M., Section 10, Subdivision NW NE Kootenai
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4 _____
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4 _____
County _____

Other Points of Diversions: _____

Description of diverting works: well, pump and pipeline to place of use

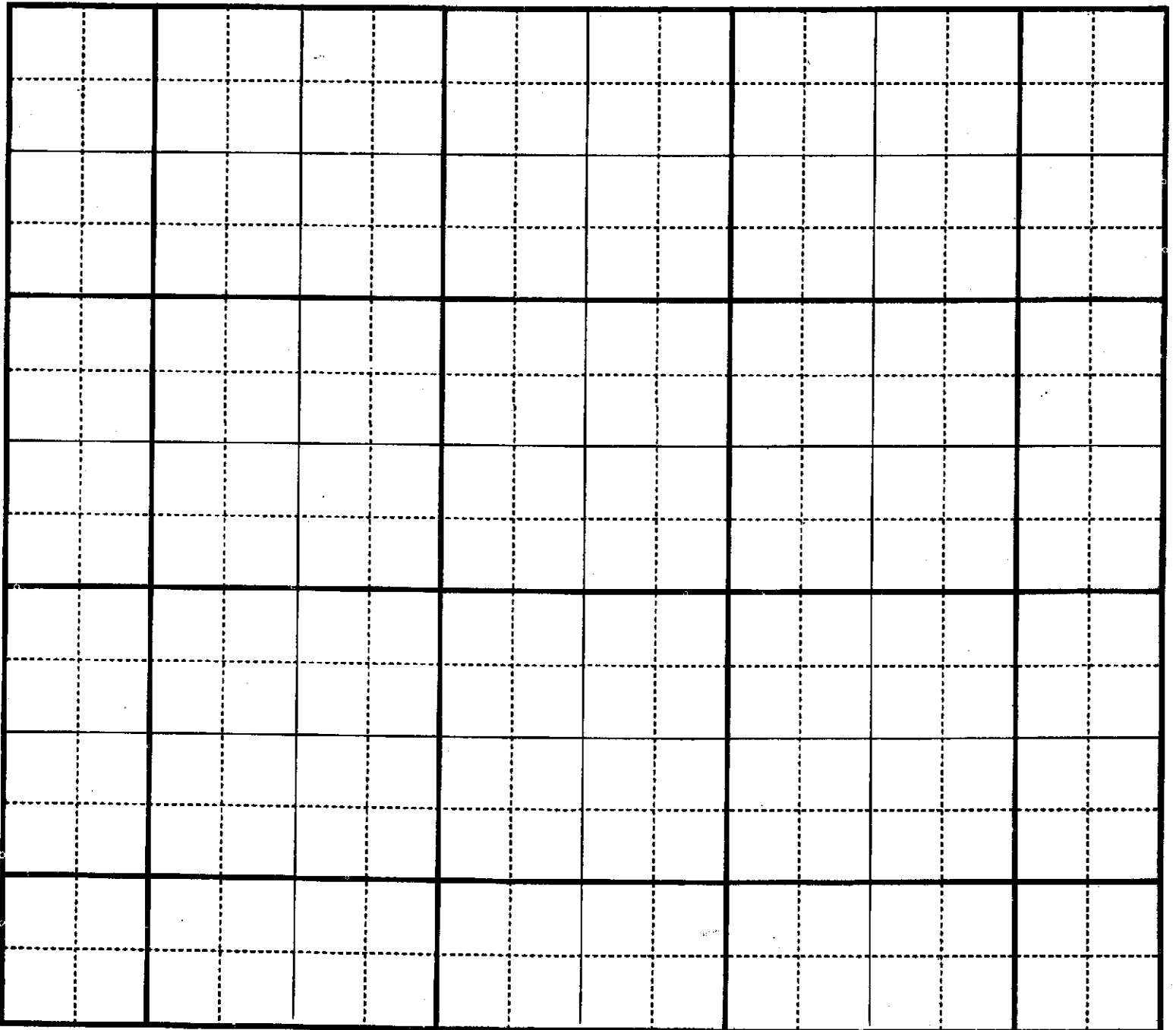
Measuring device required: yes ☐ no ☒

- [illegible]

MICROFILMED

TOTAL ACREAGE

Diagram of System



DATE OF EXAM 6/30/78

ACREAGE

Found 0
Recommended 0

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.02 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 Method of measurement NONE

Total Q recommended 0.02 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 AF/Ann

Recommended Amendments:

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

MEASUREMENT CALCULATION:

one house hold @ 0.02 cfs

SYSTEM DESCRIPTION:

well & pump & pipe line to place of use

REMARKS:

No contact - just off 23 in woods

Examiner's Signature Tom King Date 7/6/78

Checked by Bob Ayres Date 7/18/78

Approved by [Signature] Date _____

October 6, 1977

Re: Permit No. 95-7744

John W. &/or Bernadine Tull
Route 3, Box 188A
Rathdrum, Idaho 83858

Dear Mr. & Mrs. Tull:

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

MICROFILMED

Identification No. _____

Permit No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 12 1977

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder John W & Bernadine Tull
b) Post Office Address Rt 3 Bx 188A Rathdrum, Id. 83858
2. Permit Number 95-7744
3. Date of Priority that you are prepared to establish 6-21-77
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10
Township 51N, Range 5W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.02 for Domestic purposes from Jan 1 to Dec 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 0.02 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: Est.
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 or 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) Well, pump & pipe line to place of use.
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: Associated Well Drilling Prior to 6-21-77
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic for one household

10/6/77

L

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.

 (Date)

Bernadine Tull
Mrs John Tull

 (Signature)

State of Idaho)
) ss.
 County of Butte)

On this 8 day of September, 1972, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires September

John B. ...
 Notary Public residing at Butte, Idaho

August 25, 1977

Re: Permit No. 95-7744

John W. &/or Bernadine Tull
Route #3
Box 188A
Rathdrum, ID 83858

Dear Mr. &/or Mrs. Tull:

Enclosed is a copy of your approved Application for Permit No. 95-7744 . 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

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Tull

☒ 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) SK 6-21-77
(2) 6-21-77

In form to receipt

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)

In form for advertising

(5)

Platted on Map No.

(6)

Located within Water District No.

(7)

Critical groundwater area: yes no X

(8)

Groundwater levels:

 Declining, Stable, Increasing

(comment)

(9)

Other rights on the same place of use

(10)

Comments:

(11) AB 7-14-77

Affidavit of Publication received(date) 7-14-77

(12)

Final date for protests 7-18-77

Protests received: yes no X

(13)

All requested information received from agencies or applicant: yes X no

(14) KK 7/18/77

Action recommended:

X Approve Deny

X Proposed Priority 6/21/77

 Reason for Reduction

 Measuring device required

 See attached sheet for other conditions of approval

X No special conditions for approval

(15) District Northern

By Key Lublock Date 7/18/77



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 23, 1977

RE: Applications No. 94-7102, 96-7566, 95-7741, 95-7742, 95-7743, 95-7744, 94-7103.
Claims No. 95-4384 & 96-4195

Coeur d'Alene Press
Second and 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:cp

Enc: Legal Notice(s)

Bill Received
7-14-77
[Signature]

RECEIVED

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Rt 3 Box 188A, Rathdrum, Id
has on June 21, 1977 submitted Application No. 95-7744
for a permit to appropriate 0.02 cubic feet per second acre feet per annum
of water from a groundwater source
by means of a well pump & pipeline
within the NW1/4 Sec 10, T51N, R5W, B.M., Kootenai County

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

within the NW1/4 Sec 10, T51N, 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 July 18, 1977.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Id
on June 30, and July 7, 1977