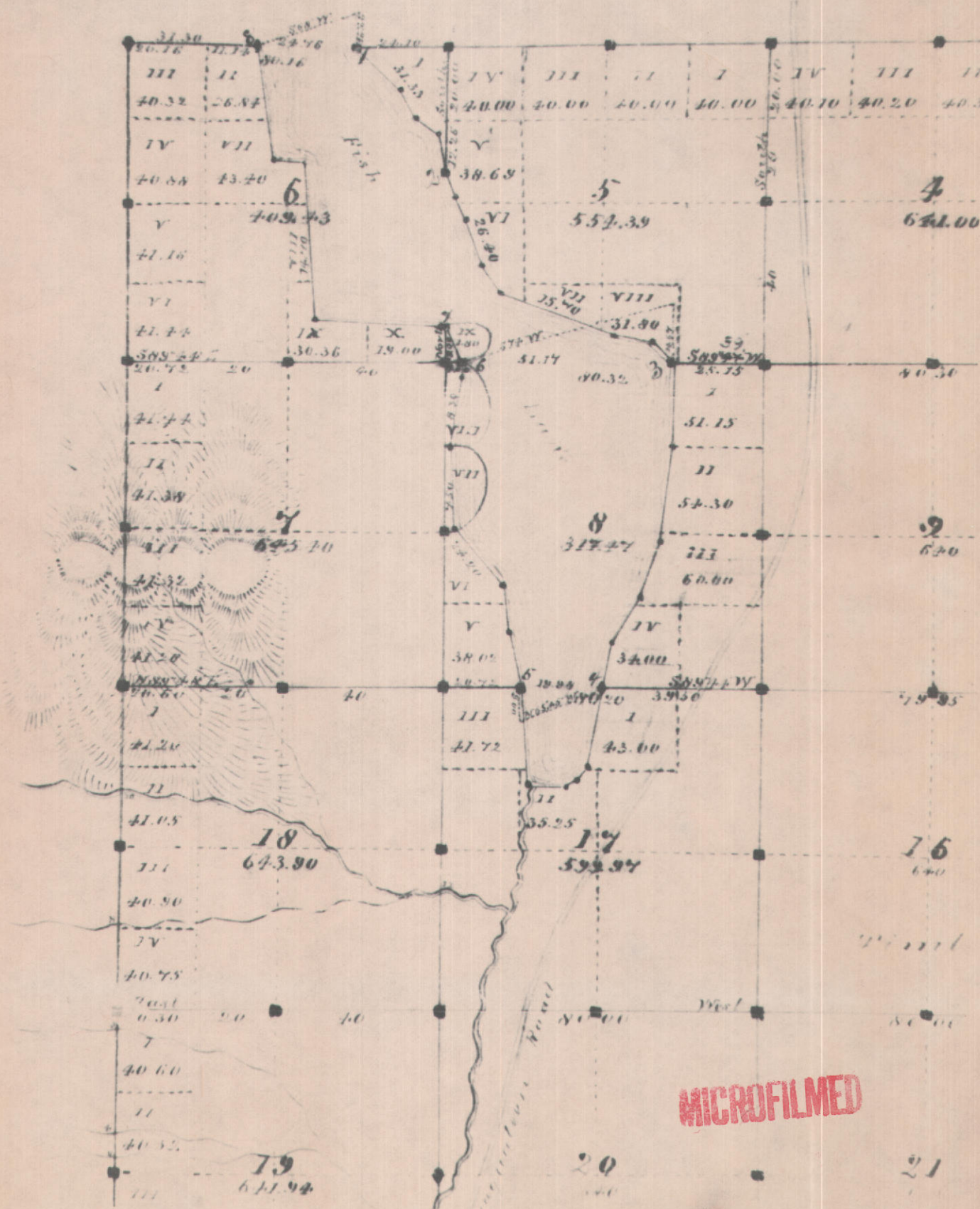


Township N° 52 North. Ra

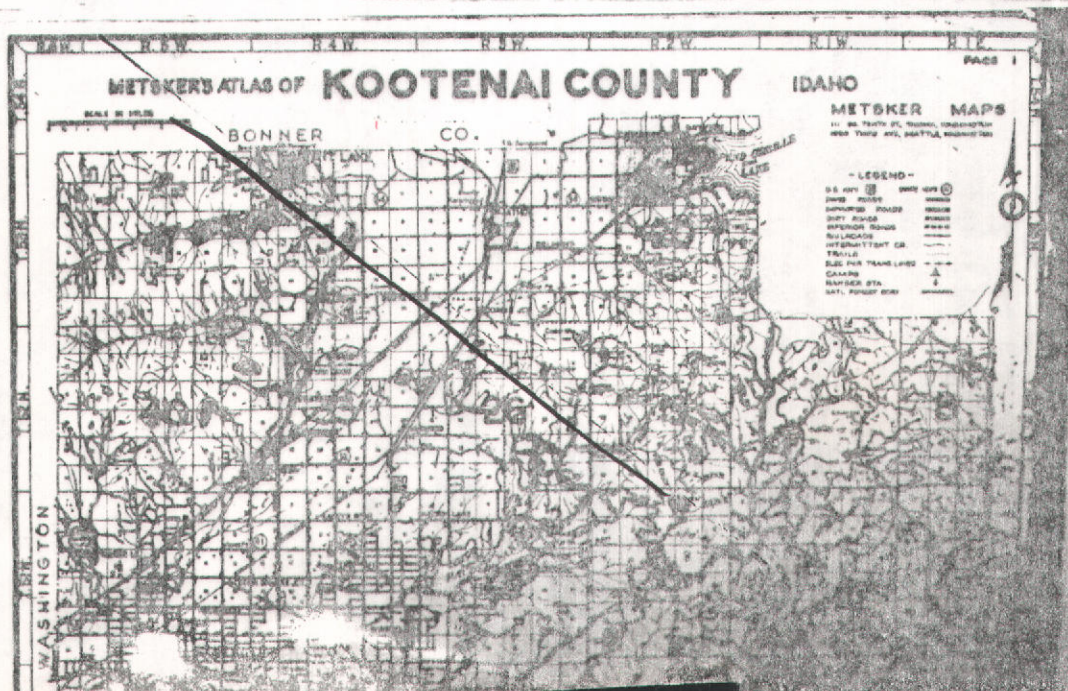
T52N, R4W



33



MICROFILMED



VI

95-7618

COMMON AREA 2

COMMERCIAL LOT 2

24

LOWE R

V

24

95-0758
95-0748
95-0825
95-0706
95-0727
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95-0754
95-0765
95-0965
95-0796
95-0769
95-0726
95-0843
95-0907
95-7474
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95-7481
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18 17 III

30

7413

95-7499

95-7703

95-0896

95-7489

95-4346

95-7482

95-7700

95-7443

95-0969

95-7597

95-7720

Jonson

3036

39

95-4257

38

38

95-0970

95-7597

95-7685

95-7549

III I
II

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Map 1

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7720 Priority April 13, 1977 Amount 0.04 cfs

THIS IS TO CERTIFY, that Charles C. &/or Marlene L. Whallon
of Rathdrum, Idaho, has complied with the terms and conditions of Permit
No. 95-7720 issued pursuant to Application for Permit dated April 13, 1977,
and has submitted proof to the Department of Water Resources on May 26, 1982,
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 Lower Twin Lakes,
tributary to sinks, 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> <u>(1 Unit)</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 Gov. Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 17, Twp 52N, Rge 4W 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 $\frac{1}{4}$	
52N	4W	17																	

Total number of acres irrigated _____

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

a. 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.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

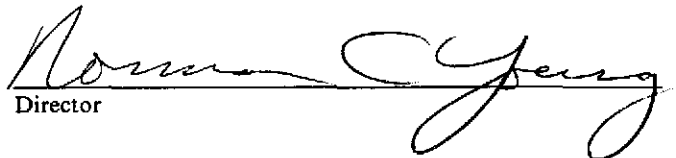
c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

P/U also known as Lots 3-6, Block F, Pinehurst Subdivision.

Use of water under this right is subject to control by the watermaster of State Water District No. 95B, Twin Lakes.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 1ST day of NOVEMBER, 19 85.

Acting for the Director



✓

Identification No. 95-7720

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 Charles C. &/or Marlene L. Whallon Phone: 623-5212
post office address Box 338, Spirit Lake, Idaho
2. Source of water supply Lower Twin Lkes. which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 52N
Range 4W 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. 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 NW $\frac{1}{4}$ of Section 17 Township 52N
Range 4W B.M. (Also known as Lots 3 - 6, Block F, Pinehurst Subd.)
(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 one.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above._____None_____

9. a. Who owns the property at the point of diversion_____Applicant County_____

b. Who owns the land to be irrigated or place of use_____Applicant_____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing_____

10. Remarks_____

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

R 4W

⑥ PD
Place of Use

17

T
52
N

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.

Charles C. Whallon
(Applicant)

Proposed Priority 4/13/77

Received by RAH Date 4/13/77 Time 1:30 PM

Preliminary check by KK Fee \$ 10.00

Receipted by RAH Date 4/13/77 # 5419

Publication prepared by B Date 4-15-77

Published in IDAHO PRESS

Publication dates 4-21-28-1977

Publication approved B Date 5-9-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RAH ig

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. 95-7720, 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 June 1, 19 82.

c. Other: _____

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

Witness my hand this 10 day of June, 19 77.


Deputy Director

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Charles C &/or Marlene L. Whallon Box 338, Spirit Lake, Id has on April 13, 1977 submitted Application No. 95-7720 for a permit to appropriate 0.04 feet per second of water from Lower Twin Lakes by means of pump and pipeline within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 17, T52N, R4W B.M. Kootenai County to be used from Jan 1 to Dec 31 for Domestic purposes within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 17, T52N, R4W 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 May 9, 1977.

C. STEPHEN ALLRED
Director

April 21, 28, 1977
Legal 79

STATE OF IDAHO,
County of Kootenai,

} ss.

Coral Hedy 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 *21* day of *April*, 1977, and ending on the *28* day of *April*, 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.

Subscribed and sworn to before me this *28* day of *April*

19 *77*

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

11.16
LEADER

November 12, 1985

RE: Permit No. 95-7720

Charles C. & Marlene L. Whallon
Box 227
Rathdrum, ID 83858

Dear Mr. and Mrs. Whallon:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

SEP 2 1983

Department of Water Resources

95-7720

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	8/18/82	LB	Could not locate
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8/9/83 Accompanied by App Total Q measured est. 0.04 cfs
If source is surface water, estimate total flow of source _____
Methods of measurement Est. Meets Permit requirements? _____

Measurement calculations: One home & sprinkling lawn

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	1.0	SEARS	?	sears	3903078			

System Description 1.0 HP pump beside Lake with 1.5" line to place of use

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u> ✓	<u>0.04</u> ✓	<u>1.2</u> ✓	<u>1-1</u> ✓	<u>12-31</u> ✓
Total	<u>0.04</u> ✓	<u>1.2</u> ✓		

Remarks The point of diversion may actually be in the
NE NW portion of the section 14-14-1 (See map 2)
I believe the license should Read ~ Govt. Lot 1 (NE NW) Sec 17
One could almost say NW NE. This change should be made
by staff with no charge to the permit holder.

UNRECORDED

DECLASSIFIED

SCHEMATIC DIAGRAM OF SYSTEM

Place(s) of Use

Recommended Amendments:

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

☒ None

Checked by

Approved by _____

Date _____

Date _____

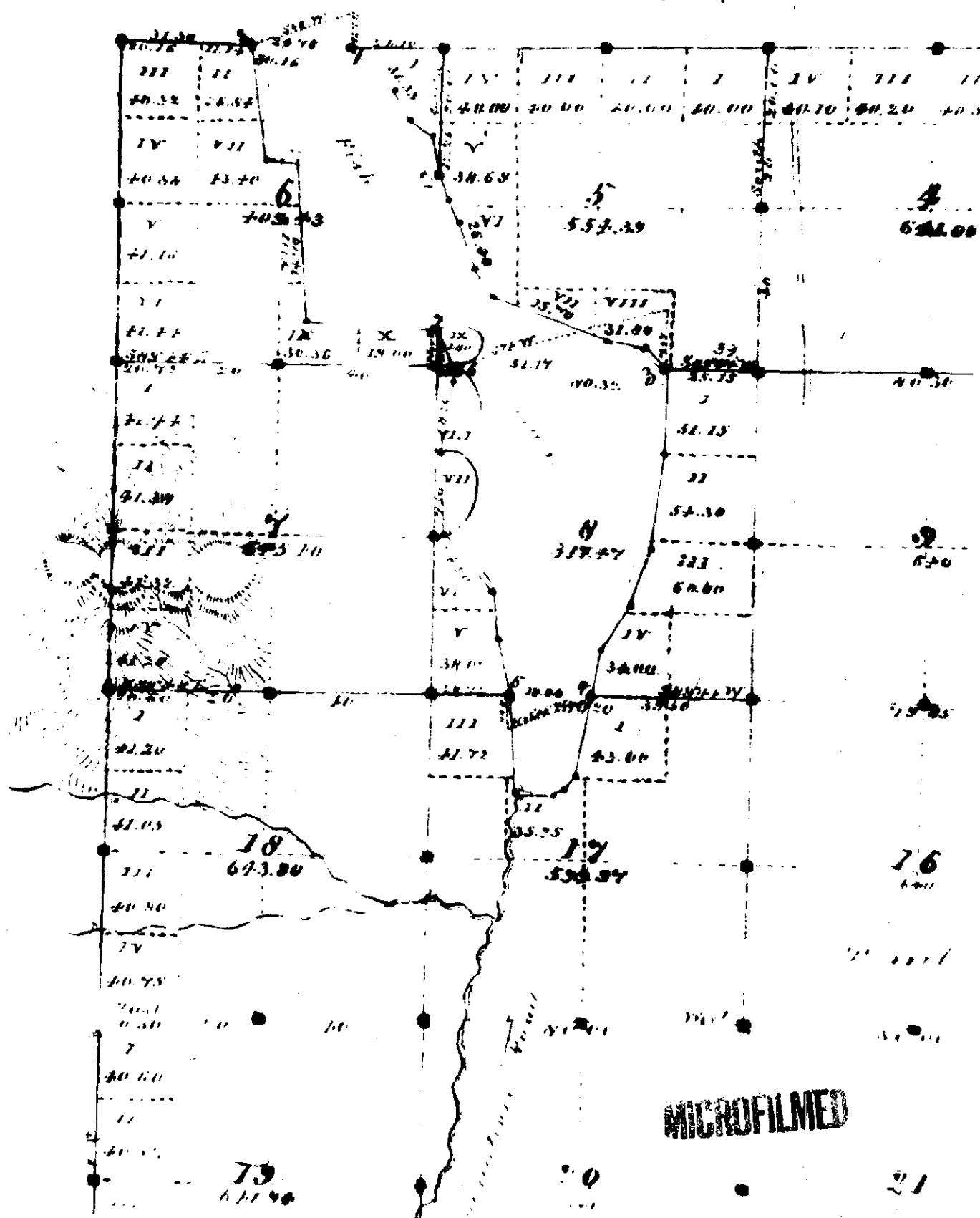
Date

08-7-86

58116

8/15/85

T52N, R4W



7	8
18	17

Johnson

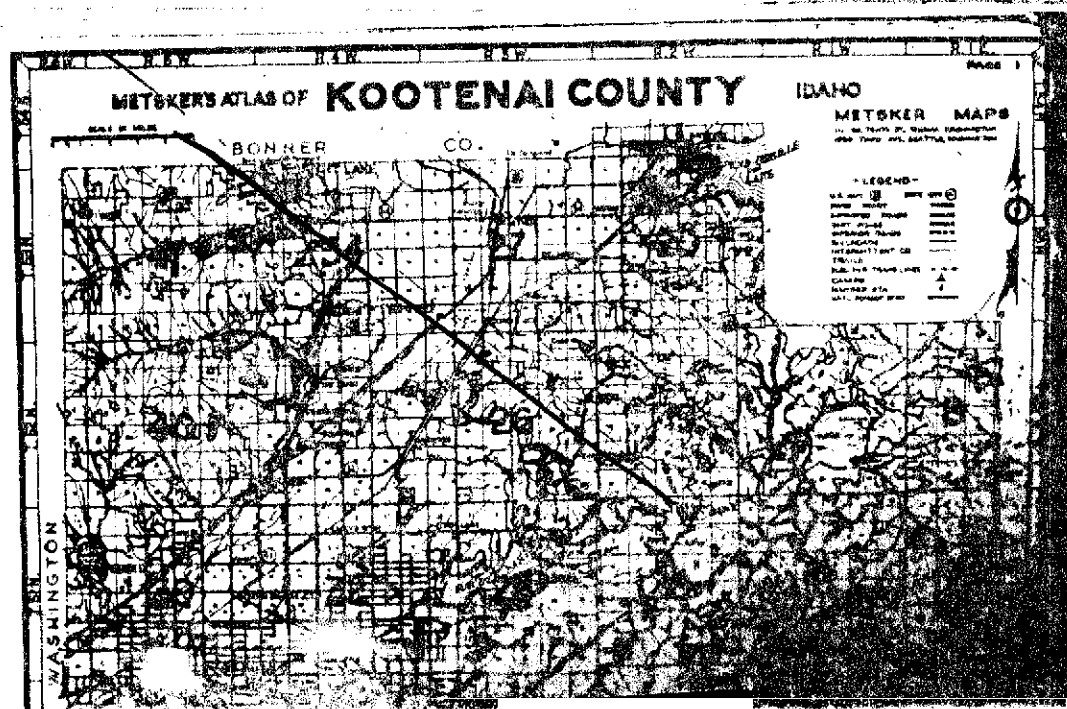
UNREFILMED

Map 1

33



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
R. KENNETH DUNN
Director

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

July 23, 1982

Charles C. & Marlene L. Whallon
Box 227
Rathdrum, ID 83858

RE: 95-7720

Dear Mr. & Mrs. Whallon:

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. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/ems

cc: IDMR - 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. 95-7720.

Name(s) of Permit Holder: Charles C. &/or Marlene L. Whallon

Post Office Address: Box 227, Rathdrum, Id. 83858
Tel. No. 687-1839

Source of Water: Lower Twin Lakes

Extent of Use: ☒ Domestic 1 (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other (2 homes on same system, other party has own water right.)

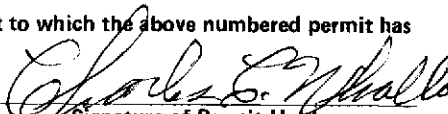
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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.

5/26/82

Date


 Signature of Permit Holder

RECEIVED

MAY 26 1982

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

MAY 26 1982

Department of Water Resources
Northern District Office

PLACE
TEN CENT
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138703

WHALLON, CHARLES C. & MARLENE L.
P.O. BOX 338
SPIRIT LAKE, ID 83869

MARCH 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7720 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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 POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

RECEIVED

June 21, 1977

Re: Permit No. 95-7720

Charles C. &/or Marlene L. Whallon
Box 338
Spirit Lake, Idaho 83869

Dear Mr. and Mrs. Whallon:

Enclosed is a copy of your approved Application for Permit No. 95-7720. We direct your attention to the conditions of approval as listed on the fourth page. Also note that there is a correction on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

June 14, 1977

Re: Permit No. 95-7720

Charles C. &/or Marlene L. Whallon
Box 338
Spirit Lake, ID 83869

Dear Mr. and Mrs. Whallon:

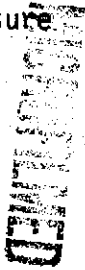
Enclosed is a copy of your approved Application for Permit No. 95-7720 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ 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) KK 4/13/77

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) KK 4/13/77

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) B 5-9

Affidavit of Publication received(date) 5-6-77

(12) B _____

Final date for protests May 9, 1977

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

Proposed Priority 4-13-77

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 5-9-77

MICROFILMED



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

April 15, 1977

RE: Application No. 95-7720; 96-7523; 95-7719; 96-7530
Claim No. 95-4375; 95-4376
Notice of Correction on Application No. 95-7708

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:cp

Enc: Legal Notice(s)

Bill received

5-9-77

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Charles C &/or Marlene L Whallon
Box 338, Spirit Lake, Id
has on April 13, 1977 submitted Application No. 95-7720
for a permit to appropriate 0.04 cubic feet per second ~~acre feet per annum~~
of water from Lower Twin Lakes
by means of pump and pipeline
within the NE1/4NW1/4 Sec 17, T52N, R4W B.M. Kootenai County

to be used from Jan 1 to Dec 31
for Domestic purposes
within the NE1/4NW1/4 Sec 17, T52N, R4W 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 May 9, 1977.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Id
on April 21, and April 28, 1977