

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 30 1976

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. H. McKahan, Route 3, Box 277-M, Coeur d'Alene, Idaho has on July 15, 1976 submitted Application No. 95-7652 for a permit to appropriate 0.04 cubic feet per second of water from Fernan Lake by means of pump, pipelines, and pressure tank within the NW 1/4 SW 1/4, Sec. 16, T. 50N, R. 3 W, B.M., Kootenai County (Lot 4) to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and fire protection purposes (0.04 cfs) within Gov't. Lot 4, Sec. 16, T. 50N, R. 3W, 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 9, 1976.

R. KEITH GGINSON
Director

Legal 254
July 22, 29, 1976

STATE OF IDAHO,
County of Kootenai, } ss.

Department of Water Resources
Northern District Office
being first duly sworn

Carol Hedge

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 *22* day of *July*, 19*76*, and ending on the *29* day of *July*, 19*76*, 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

29

day of

July

19*76*

Roberta Manley

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

12.24

LEADER

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7652 Priority July 15, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that J. H. MC KAHAN
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 95-7652 issued pursuant to Application for Permit dated July 15, 1976,
and has submitted proof to the Department of Water Resources on July 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 0.04 cfs of water from Fernan Lake,
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
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
Fire Protection	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>N/A</u>
	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, for domestic use only, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 4), Sec. 16,
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	16									L. 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 _____ day of
April, 19 79.

Director

Identification No. 95-7652

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 J.H. McKahan Phone: 664-2452
post office address Rt 3 Bx 277-M. Coeur d'Alene, Ida. 83814
2. Source of water supply Fernan Lake which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 50N
Range 3W B.M. Kootenai County; additional points of diversion if any:
Better known as Lot 4 Sec 16, T50N, R3W, BM.
- 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 0.04 for Fire Prot. 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)
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. 1 hp Submersible pump with
1 1/2" line to pressure tank (30 gal Capacity) thence to
place of use via pipe line
- 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 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: Govt. Lot 4 ~~not~~ 1/4 of Section 16 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 _____

(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: Fire Protection

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10. Remarks -

applicant to make this filing.

- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

9. a. Who owns the property at the point of diversion Hollis

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

Total number of acres to be irrigated.

[illegible]

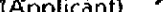
b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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

PD Place of 45"
 Sec 16
 T 60 N
 R 3 W. BM.

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.


(Applicant)

Proposed Priority 7-15-76

Received by TK Date 7-15-76 Time 4:30 PM

Preliminary check by Fee \$ 10.00 4308

Received by TK Date 7-15-76

Publication prepared by cp Date 7-16-76

Published in Coeur d'Alene Press

Publication dates 7-22 & 7-29-76

Publication approved cp Date 8-2-76

Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by DRT

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. 95-7652, 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, 1977.

c. Other:

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

Witness my hand this 14 day of August 19 76.

Director

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JUL 29 1976

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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 August 9, 1976.

R. KEITH GGINSON
Director

Legal 254
July 22, 1976

STATE OF IDAHO,
County of Kootenai, } ss.

Department of Water Resources
Northern District Office
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.

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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

1976

Roberta Manley

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

LEADER

12.24



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

April 6, 1979

Re: Water Right No. 95-7652

J. H. McKahan

Rt. 3, Box 277-M

Coeur d'Alene, Idaho 83814

Dear Mr. McKahan:

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

Sincerely,

Jan Grover

JAN GROVER

Water Rights Supervisor

JG:lr

Enclosure

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TOTAL ACREAGE

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of 10 columns and 10 rows, creating a total of 100 small square units. The lines are thin and black, set against a white background. There are no margins, text, or other markings on the page.

DATE OF EXAM 9-16-77

ACREAGE
Found 0
Recommended 0

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 May 15 to Nov 15
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
0.04 cfs fire protection from Jan 1 to Dec 31

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 _____ Method of measurement None

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

Total V recommended 1.2

Recommended Amendments:

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

MEASUREMENT CALCULATION:

One household @ 0.04 cfs @ 1.2 AF/Ann

SYSTEM DESCRIPTION:

1 hp submersible pump with pipeline to place of use

REMARKS:

Domestic use (stand-by in house use.)

Examiner's Signature James W. King Date 9-29-77

Checked by Bob Haynes Date 2-16-78

Approved by _____ Date _____

September 20, 1977

File

J. H. McKahan
Rt 3 Box 277M
Coeur d'Alene, Id 83814

Dear Mr. Mackahan,

I have tried to contact you at 664-2452 to no avail. Before licensing your Application I must know if you are using the water from Fernan Lake for inside plumbing.

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

Sincerely,

TOM KING
Senior Water Resource Agent

TK:ab

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July 25, 1977

Re: Permit No. 95-7652

J. H. McKahan
Route 3, Box 277M
Coeur d'Alene, Idaho 83814

Dear Mr. McKahan:

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,

JANICE RENK
Water Rights

RECEIVED

Identification No.

Permit No.

RECEIVED

JUL 12 1977

OK

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder J. H. Mc. Kahan Ph. 664-2452
 b) Post Office Address Rt #3 Box 277 M Cda, Id. 83814
 2. Permit Number 95-7652
 3. Date of Priority that you are prepared to establish 7-15-76
 4. a) Source from which water was appropriated Fernan Lake
 b) Location of the point of diversion: NW 1/4 SW 1/4 (6.684) Section 16
 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 0.04 for Fire Protection 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)
 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: 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:

 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) 1 hp. submersible pump & motor with 1 1/2" line to 30 gal pressure tank then 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: N/A.

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 and Fire Protection

Examined 7/19/77 *by j*

RECEIVED

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) J. P. McPherson
(Signature)

State of Idaho)
County of Kootenai) ss.

On this 8 day of July, 19 22, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ala B. ...
Notary Public residing at 222 E. 352
...

My commission expires Life term

June 30, 1977

CERTIFIED MAIL

138756

Re: Permit No. 95-7652

J. H. McKahan
Route 2, Box 277M
Coeur d'Alene, ID 83814

Dear Mr. McKahan:

One of the conditions of approval of your water Permit No. 95-7652 (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 September 1, 1977. 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED

August 17, 1976

Re: Permit No. 95-7652

J. H. McKahan
Rt. 3, Box 277-M
Coeur d'Alene, ID 83814

Dear Mr. McKahan:

Enclosed is a copy of your approved Application for Permit No. 95-7652 . 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

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 95-7652 (McKahan)

- ☒ 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) _____

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

(4) _____

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) CP 8/2

Affidavit of Publication received(date) JULY 30, 1976

(12) CP 7/16

Final date for protests AUGUST 9, 1976
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

Proposed Priority 7-15-76

Reason for Reduction _____

Measuring device required _____

See attached sheet for other conditions of approval

☒ No special conditions for approval

By Bob Haynes Date 8-9-76



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

July 16, 1976

Re: Application No. 95-7649 Application No. 95-7651
 " " 95-7650 " 95-7652

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: 8-2-76-10

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. H. McKahan,
Route 3, Box 277-M, Coeur d'Alene, Idaho
has on July 15, 1976 submitted Application No. 95-7652
for a permit to appropriate 0.04 cubic feet per second ~~xxxxxx~~
of water from Fernan Lake
by means of pump, pipelines, and pressure tank
within the NW¹/4, Sec. 16, T. 50N, R. 3W, B.M., Kootenai County (Lot 4)

to be used from Jan. 1 to Dec. 31
for domestic (0.04 cfs) and fire protection purposes (0.04 cfs)

within ~~the~~ Gov't. Lot 4, Sec. 16, T. 50N, R. 3W, 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 9, 1976.

R. KEITH HIGGINSON
Director

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