T49N R4W

Kootenai Co.

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7614 Priority April 28, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that MERLE TILTON

of Spokane, Washington, has complied with the terms and conditions of Permit No. 95-7614 issued pursuant to Application for Permit dated April 28, 1976, and has submitted proof to the Department of Water Resources on June 17, 1976, 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 Coeur d'Alene 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 Jan. 1	to Dec. 31	at 0.04 cfs	and	0.6 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 0.6 acre feet per year, said waters to be diverted within the Gov't. Lot 2 of Sec. 13, Twp. 49 N, Rge. 4 W, B. M. in the County of Kootenai

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
49 N	4W	13									Gov't. Lot 2								

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 23 day of July, 19 76.

Director

Identification No. _____

Application No. 95-7614

LICENSE ISSUED FOR 0.04 SEC. FT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant MERLE TILTON Phone: 509-747-1411
   post office address 1111 W 11th Spokane WN 99204
2. Source of water supply Coeur d'Alene Lake which is a tributary of _____
* 3. a. Location of point of diversion is Gov't Lot 2 ¼ of 2 ¼ of Section 13 Township 49N
   Range 4W B.M. Kootenai County; additional points of diversion if any: _____
   Lot 1 - Driftwood Point - 1st Driftwood Addition - Gotham Bay.
   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
* Amount .04 (cfs or acre-feet per annum) for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
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. pump and pipe (½hp)
   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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
   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 2 ¼ of 2 ¼ of Section 13 Township 49N
   Range 4W 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 _____.
   (5) If water is to be used for other purposes describe: Domestic water for lake cabin - 2500 Gallon Per YEAR

* Information obtained in telephone conversation with Mrs. Merle Tilton 4-30-76 RGH

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._____

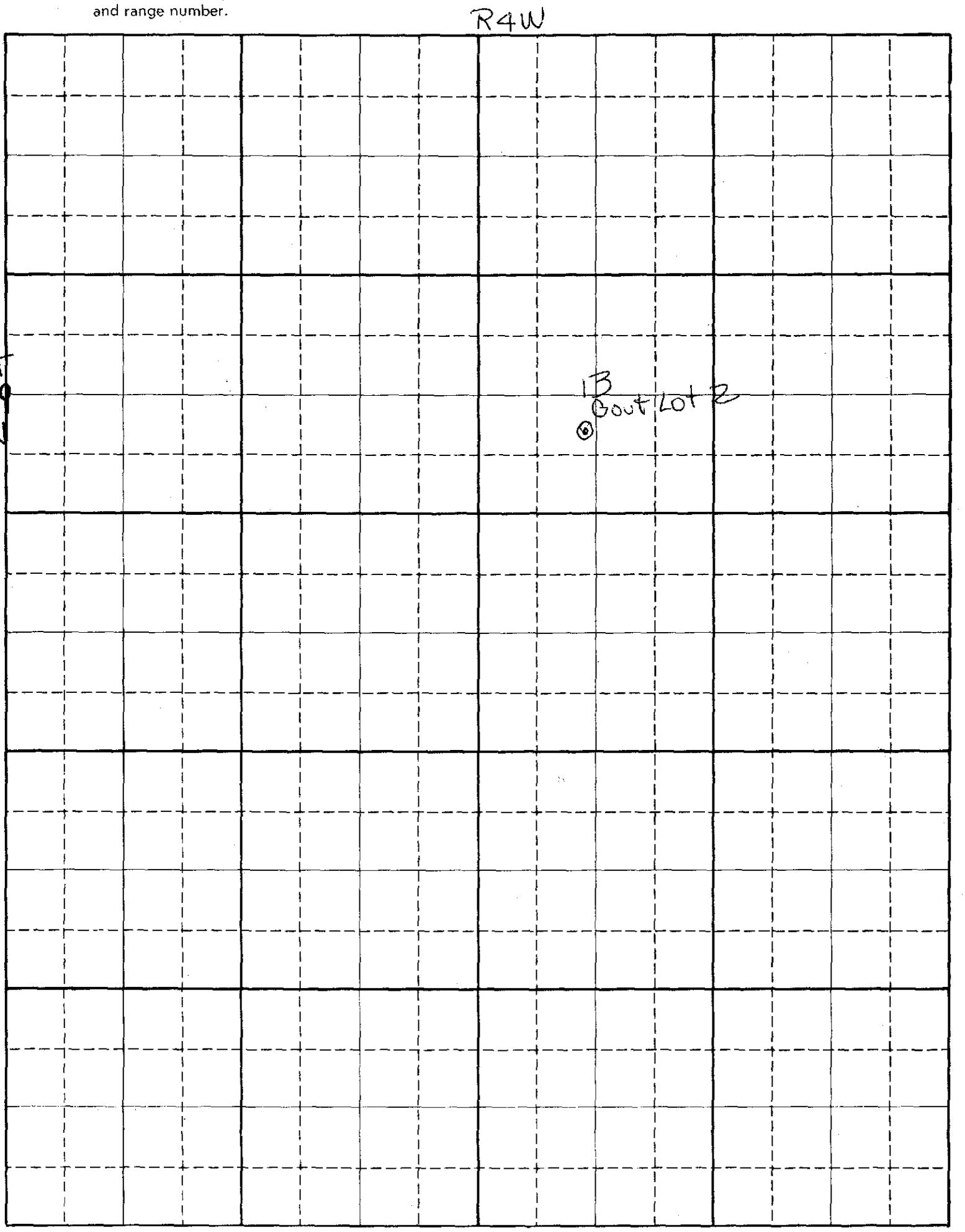
9. a. Who owns the property at the point of diversion Albert Embiser and Applicant

b. Who owns the land to be irrigated or place of use " " " " Pursuant to telcon. 6-4-76 DRT

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.



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 4-28-76

Received by KK Date 4/28/76 Time 11:00 A

Preliminary check by RJH Fee $ 10.00

Receipted by RJH Date 4-30-76 #4211

RJH Publication prepared by RGH Date 4-30-76

Published in Coeur d'Alene, Press

Publication dates 5-6 & 5-13-76

Publication approved CP Date 5-18-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by RJH 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. 95-7614, 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 July 1, 1977.

   c. Other: _____

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

Witness my hand this 4 day of June 1976.

Director

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 20 1976
Department of Water Resources
Northern Region
Coeur d'Alene, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merle Tilton 1111 W 11th, Spokane, WA has on April 28, 1976 submitted Application No. 95-7614 for a permit to appropriate .04 cubic feet per second of water from Lake Coeur d'Alene by means of ½hp pump and pipe within the Gov Lot 2 Section 13 T 49N R4W Kootenai County to be used from Jan. 1 to Dec. 31 for Domestic use within the Gov Lot 2 Section 13 T49N R4W.

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 24, 1976.

R. KEITH HIGGINSON
Director

Legal 20
May 6, 13, 1976

STATE OF IDAHO,
County of Kootenai, } ss.

Kenneth Kunes 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 for Water Permit

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 6 day of May, 19 76 and ending on the 13 day of May, 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.

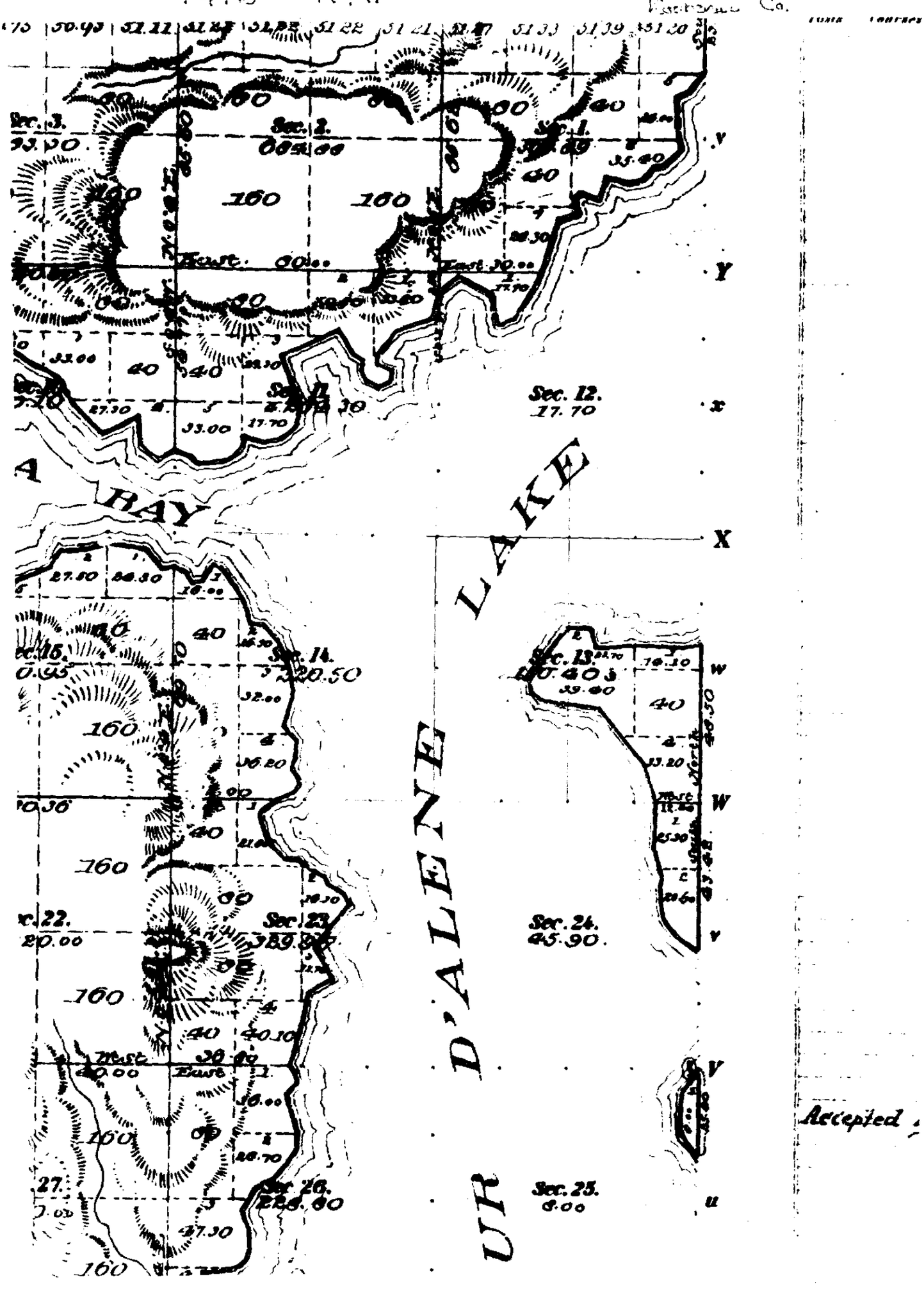
Kenneth Kunes

Subscribed and sworn to before me this 15th day of May, 19 76.

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

10.80
30

LEADER


T49N R4W
Kootenai Co.
Sec. 3.
Sec. 2.
Sec. 1.
Sec. 12.
17.70
Sec. 14.
Sec. 13.
Sec. 22.
Sec. 23.
Sec. 24.
45.90.
Sec. 26.
Sec. 25.
D'ALENE LAKE
RAY
Accepted

July 26, 1976

Re: Permit No. 95-7614

Merle Tilton
1111 West 11th
Spokane, WA 99204

Dear Mr. Tilton:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincererly,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enclosure

Lot 1
Driftwood pt.

DEPARTMENT OF WATER ADMINISTRATION

FIELD REPORT

Mile Post Number 84

RECEIVED
JUN 25 1976
Department of Water Resources
Northern District Office

1. Name of permit holder Merle Tilton

Post office address 1111 W. 11th, Spokane, WA 99204 Phone 509-747-1411

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☑ Coeur d'Alene Lake
(name spring, stream, etc.)

Tributary to _____

RECEIVED
JUL 19 1976
Department of Water Resources

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for Domestic (1)
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 95-7614

Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 49N N/S, Range 4W E/W, B.M., Section 13, Subdivision Lot 2 ¼ ____ ¼, Kootenai County

Township ____ N/S, Range ____ E/W, B.M., Section ____, Subdivision ____ ¼ ____ ¼, ____ County

Township ____ N/S, Range ____ E/W, B.M., Section ____, Subdivision ____ ¼ ____ ¼, ____ County

Other Points of Diversions: _____

Description of diverting works: 1/3 hp jet pump, 20 gal. tank, 1¼" plastic pipe running approx. 50' and into lake.

Measuring device required: yes ☐ no ☑

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
49N	4W	13									Gov't. Lot 2								

TOTAL ACREAGE _____

Diagram of System

DATE OF EXAM 7-7-76

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q=_____c.f.s. V=_____ AF/Ann. from _____ to _____
Domestic Q=.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._____¼_____¼_____
County

Exchange? yes_____ no X

Name source exchanged with: _____
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Point of injection:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Point of exchange:
twp._____N/S, Rge_____E/W, B.M., Sec._____, Sub._____¼_____¼_____
County

Total Q measured 0.04 cfs Method of measurement NONE

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 household @ 0.04 cfs

SYSTEM DESCRIPTION:
1/3 hp pump 20gal pressure tank plastic pipe from Lake approx 50' to pump & pipe line to place of use.

REMARKS:
Use for irr of shrubs, Dish washing, shower

Examiner's Signature [signature] Date 7-13-76

Checked by Bob Haynes Date 7-15-76

Approved by _____ Date _____

June 10, 1976

Re: Permit No. 95-7614

Merle Tilton
1111 West 11th
Spokane, WA 99204

Dear Mr. Tilton:

Enclosed is a form for you to use to file proof of beneficial use of water.

Please complete the form and return it to us.

Sincerely,

JANICE ROHM
Secretary

jr

Encl: Proof affidavit w/instr.

RECEIVED
JUN 22 1976
Department of Water Resources

1111 West 11th
Spokane, WA 99204
June 9, 1976

Mr. Bob D. Fleenor
Chief, Water Rights
Department of Water Resources
Boise, ID 83720

Dear Mr. Fleenor:

As per the conditions on page four for permit number 95-7614, a small domestic water system was installed June 1, 1976 for domestic water only at a cabin on Driftwood Point on Lake Coeur d' Alene.

Sincerely,

Merle Tilton
Country Circulator

MT:cs

June 24, 1976

Re: Permit No. 95-7614

Merle Tilton
1111 W. 11th
Spokane, WA 99204

Dear Mr. Tilton:

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 District Office in Coeur d'Alene.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

JUN 17 1976 OKJ

Department of Water Resources

Identification No. _____

Permit No. 95-7614

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder MERLE TILTON

   b) Post Office Address 1111 W. 11th Spokane Wash 99204

2. Permit Number 95-7614

3. Date of Priority that you are prepared to establish July-76

4. a) Source from which water was appropriated Couer d'Alene Lake

   b) Location of the point of diversion: Govt. Lot ¼ 2 ¼, Section 13

   Township 49 N, Range W Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

   Amount .04 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 .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: _____

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) ½ Horse Jet Pump - (Sears Home Water System Tank and Pump) 20 Gallon Tank - 1½" Plastic Pipe Running Approximately 50 Feet out into Lake

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

   NA

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

   NA

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

   Domestic use for 1 Lake Cabin

Exam typed 6-24-76 JP

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

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

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

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.

June 16 - 76
(Date)

Myrle Tolan
(Signature)

State of Washington)
) ss.
County of Spokane)

On this 16 th day of June, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Bernice Menard
Notary Public residing at Spokane

My commission expires Oct. 25, 1979

June 4, 1976

Re: Permit No. 95-7614

Merle Tilton
1111 W 11th
Spokane, WA 99204

Dear Mr. Tilton:

Enclosed is a copy of your approved Application for Permit No. 95-7614 We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date	
			Application No. 95-7614 Merle Tilton
			✓ 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)	RWA	4-30-76	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)	RWA	4-30-76	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	5/18	Affidavit of Publication received (date) May 18, 1976
(12)	cp	5/6	Final date for protests May 24, 1976
			Protests received: yes_____ no ✓
(13)			All requested information received from agencies or applicant: yes_____ no_____
(14)			Action recommended:
			✓ Approve _____ Deny
			_____ Proposed Priority 4-28-76
			_____ Reason for Reduction_____
			_____ Measuring device required
			_____ See attached sheet for other conditions of approval
			✓ No special conditions for approval
(15)	District Northern		By Bob Harper Date 5-26-76

RECEIVED
MAY
Department of Water Resources

May 26, 1976

Re: Application for Permit No. 95-7614 - Merle Tilton

Mr. Keith Kiler
Idaho Department of Lands
701 River Avenue
Coeur d'Alene, ID 83814

Dear Keith:

Enclosed for your information is a copy of the above referenced application which we received for the diversion of 0.04 cubic feet per second of water from Coeur d'Alene Lake.

Please contact us if we may be of any further assistance.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosure

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 30, 1976

Re: Application No. 95-7614 Merle Tilton
95-7613 C. Robert Schmand
95-7615 Jerry &/or Betty Rose Hogan
95-7617 Marvin K. Willadsen
95-7616 " "
Claim No. 95-4358 " "

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: 5-18-76.p

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Merle Tilton 1111 W 11th, Spokane, WA

has on April 28, 1976 submitted Application No. 95-7614

for a permit to appropriate .04 cubic feet per second

of water from Lake Coeur d'Alene

by means of ½hp pump and pipe

within the Gov Lot 2 Section 13 T 49N R4W Kootenai County

to be used from Jan 1 to Dec 31

for Domestic use

within the Gov Lot 2 Section 13 T49N R4W

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 24, 1976.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press

on May 6m and 13