

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7601 Priority April 9, 1976 Amount 0.04 cfs

THIS IS TO CERTIFY, that Lawrence &/or Terry Ellsworth
of Hayden Lake, Idaho, has complied with the terms and conditions of Permit
No. 95-7601 issued pursuant to Application for Permit dated April 9, 1976,
and has submitted proof to the Department of Water Resources on June 10, 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 Hayden 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
<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 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 51N,
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 $\frac{1}{4}$	
51N	3W	3	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 23 day of
March, 19 78.

Director

Identification No. 95-7601

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 Lawrence &/or Terry Ellsworth Phone: 772-4404
post office address Route 2, Box 207, Hayden Lake, Idaho
2. Source of water supply Hayden Lake which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 Township 51N
Range 3W B.M. Kootenai County; ~~which is a tributary of _____~~ Also
known as Lot 6, North Shore Tracts.
- 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 to place of use.

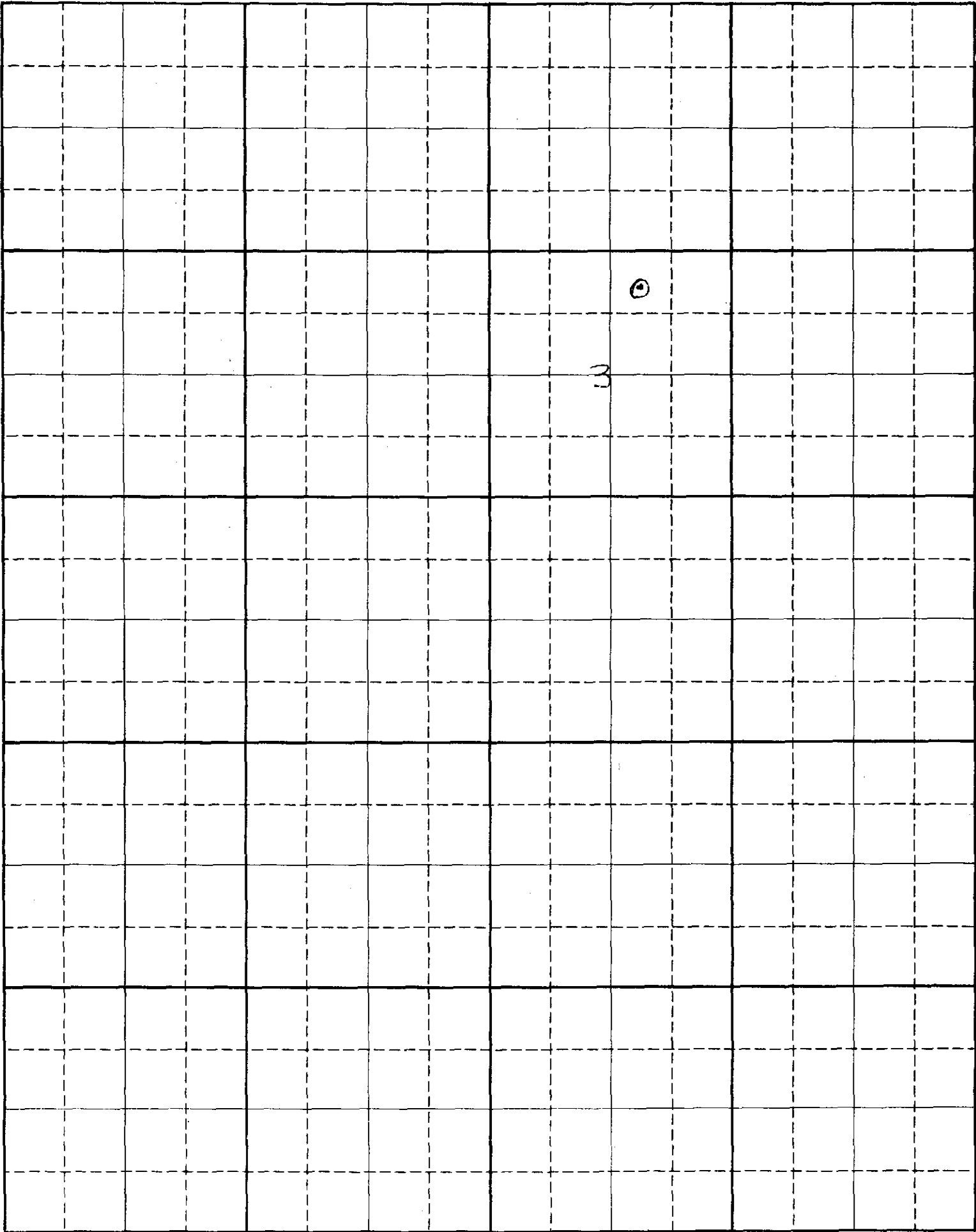
b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 3 Township 51N
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: Water is used for irrigation of lawn
and garden.

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

R3W

T
51
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.

Lawrence Elsworth
(Applicant)

Proposed Priority 4-9-1976

Received by AM Date 4-9-76 Time 3:45 PM

Preliminary check by AM Fee \$ 10.00

Received by AM Date 4-9-76 Time 3:45 PM

Publication prepared by CP Date 4-9-76

Published in Coeur d'Alene Press

Publication dates 4-15 & 4-22-76

Publication approved by AM Date 4-2-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DR

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. 95-7601, 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 May 1, 19 81.

c. Other: _____

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

Witness my hand this 14 day of May, 19 76

Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lawrence &/or Terry Ellsworth, Route 2, Box 207, Hayden Lake, Idaho have on April 9, 1976 submitted Application No. 95-7601 for a permit to appropriate 0.04 cubic feet per second of water from Hayden Lake by means of pump and pipeline within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 51N, R. 3W, B.M., Kootenai County (Lot 6, North Shore Tracts) to be used from Jan. 1 to Dec. 31

for domestic purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 51N, 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 May 3, 1976.

R. KEITH HIGGINSON
Director

Legal 956
April 15, 22, 1976

JAMES TUCKER, 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 Application for Water Permit
Lawrence Ellsworth

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 15 day of April, 1976, and ending on the 22 day of April, 1976, 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.

James Tucker
Subscribed and sworn to before me this 22 day of April, 1976.

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

April 21, 1978

Re: Permit No. 95-7601

Lawrence &/or Terry Ellsworth
Route 2, Box 207
Hayden Lake, Idaho 83835

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use by Mr. Terry Ellsworth on the above referenced permit.

We have already received the proof on this permit on June 10, 1977, by Mr. Lawrence Ellsworth and on March 23, 1978, a water right license was issued. If in looking at your records you find you have another water right permit besides this 95-7601, please let us know. We are returning the proof of beneficial use submitted April 10, 1978.

If you have any questions regarding this matter, please contact us.

Sincerely,

JANICE RENK
Water Rights

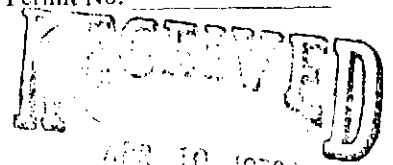
Encl.

MICROFILMED

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Lawrence &/or Terry Ellsworth
b) Post Office Address Rt 2 Box 207, Hayden Lake, Id
2. Permit Number 95-7601
3. Date of Priority that you are prepared to establish 4-9-76
4. a) Source from which water was appropriated Hayden Lake
b) Location of the point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3
Township 51N, 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 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 0.04 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)
pump & pipeline to place of use
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
irrigation of lawn & garden

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.

4-6-78 (Date) Terry Ellsworth (Signature)

State of Idaho)
County of Butte) ss.

On this 6 day of April, 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ma Lata
Notary Public residing at Idaho Falls

My commission expires September

March 31, 1978

Re: Permit No. 95-7601

Lawrence &/or Terry Ellsworth
Route #2
Box 207
Hayden Lake, ID 83835

Dear Mr. & Mrs. Ellsworth:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 6, 1978

Re: Permit No. 95-7601

Lawrence &/or Terry Ellsworth
Route 2, Box 207
Hayden Lake, ID 83835

Dear Mr. and Mrs. Ellsworth:

A representative of this Department made an examination of the works covered by your Permit No. 95-7601 on August 2, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: Hayden Lake

The maximum quantity diverted shall not exceed 1.2 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Twp. 51N, Rge. 3W, B. M.

Beneficial use: Domestic for one family within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3,
Twp. 51N, Rge. 3W, B. M.

Priority date established: April 9, 1976

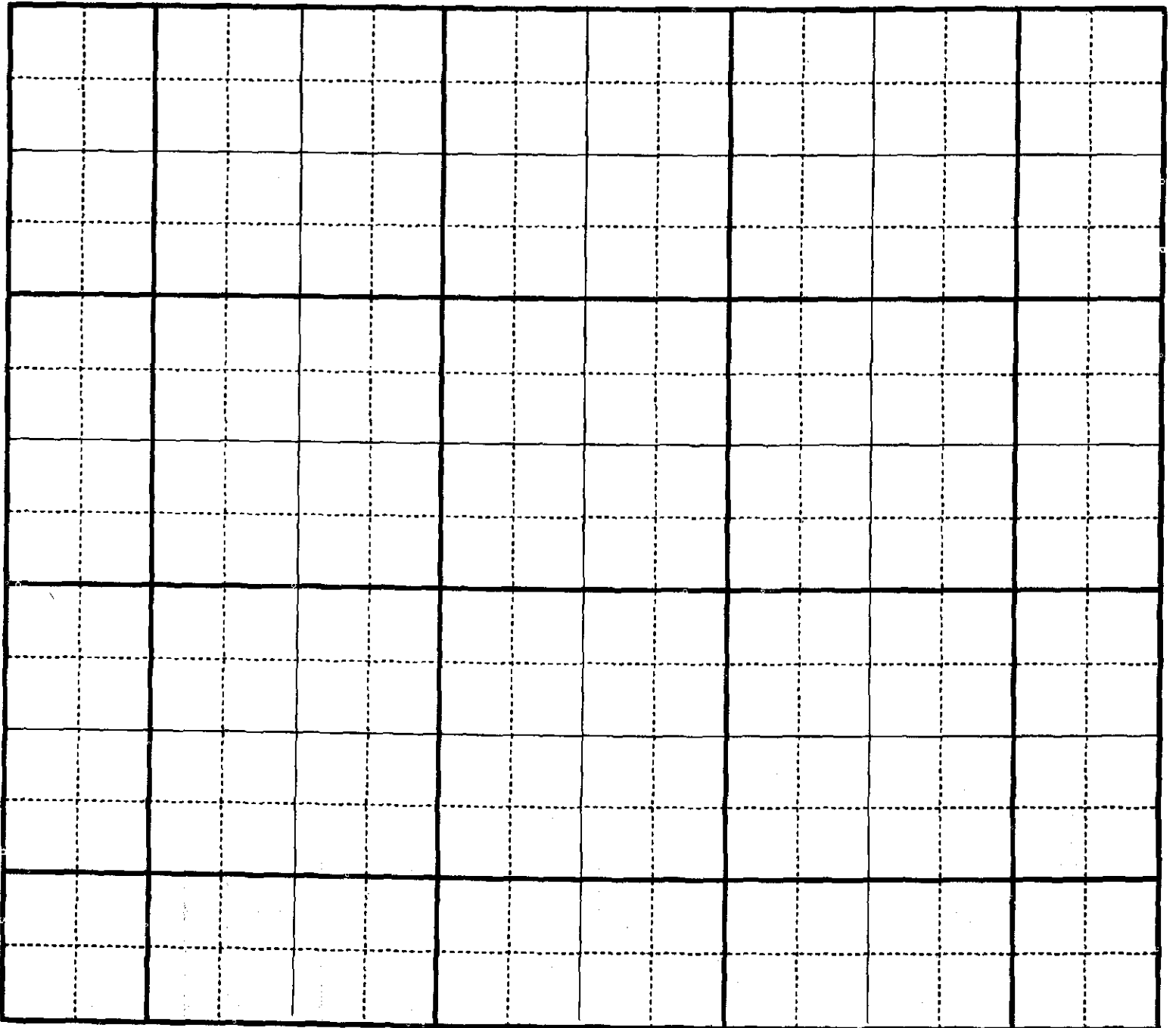
If you do not concur with these findings please contact us within 10 days, otherwise a
water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JS/kw

Diagram of System



DATE OF EXAM 8/2/77

ACREAGE
Found 1.2wn
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 1/1 to 12/31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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 0.04 cfs Method of measurement estimated

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

Total V recommended 1.2 ad./year

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
estimated by pump capacity

SYSTEM DESCRIPTION:
2 hp pump and pipeline

REMARKS:
water is used for domestic purposes for 1 household.

Examiner's Signature Fred Embert Date 8/2/77
Checked by Bob Haynes Date 8/5/77
Approved by _____ Date _____

June 24, 1977

Re: Permit No. 95-7601

Lawrence &/or Terry Ellsworth
Route 2, Box 207
Hayden Lake, Idaho 83835

Dear Sirs:

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

MICROFILMED

Identification No. _____

Permit No. 95-7601

RECEIVED

JUL 10 1977

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources OK

1. a) Name of Permit Holder LAWRENCE & OR TERRY ELLSWORTH
b) Post Office Address RT 2 BOX 207, HAYDEN LAKE, ID
2. Permit Number 95-7601
3. Date of Priority that you are prepared to establish APRIL 9, 1976
4. a) Source from which water was appropriated HAYDEN LAKE
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 3
Township 51N, 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 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 0.04 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) 2HP PUMP WITH PIPELINE TO PLACE OF USE
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____

For other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

DOMESTIC USE ONE HOUSEHOLD IN
NW 1/4 NE 1/4 SECTION 3 51N 3 BOX 6
NORTH SHORE TRACTS

Exam typed 6/20/77 by X

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.

6-8-77
(Date)

Lawrence E. Elsworth
(Signature)

State of Idaho)
County of Butte) ss.

On this 8 day of June, 19 77 personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Alma Butte
Notary Public residing at Butte
Butte Idaho

My commission expires September

May 18, 1976

Re: Permit No. 95-7601

Lawrence &/or Terry Ellsworth
Route 2, Box 207
Hayden Lake, ID 83835

Dear Mr. and Mrs. Ellsworth:

Enclosed is a copy of your approved Application for Permit No. 95-7601. 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. 95-7001 (ELLSWORTH)

☒ 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 4-14-76

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) _____

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) SK 4-26

Affidavit of Publication received(date) 4-26

(12) CP 4/9

Final date for protests MAY 3, 1976
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

RECEIVED

☒ Approve MAY 10 1976 Deny

Proposed Priority 4-9-76 Department of Water Resources

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 5-6-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 9, 1976

Re: Application No. 95-7598 Application No. 95-7601
 " " 95-7599 Claim No. 95-4356
 " " 95-7600

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill 55-7601

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lawrence &/or Terry Ellsworth,
Route 2, Box 207, Hayden Lake, Idaho
have ~~has~~ on April 9, 1976 submitted Application No. 95-7601
for a permit to appropriate 0.04 cubic feet per second ~~acres feet per annum~~
of water from Hayden Lake
by means of pump and pipeline
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 51N, R. 3W, B.M., Kootenai County (Lot 6, North
Shore Tracts)
to be used from Jan. 1 to Dec. 31
for domestic purposes
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 51N, 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 May 3, 1976.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on April 15 and April 22, 1976