

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7569 Priority Nov. 17, 1975 Amount 0.08 cfs

THIS IS TO CERTIFY, that Melvin &/or Beth Winebarger &/or Estel &/or Wanda Winebarger
of Post Falls, Idaho, has complied with the terms and conditions of Permit
No. 95-7569 issued pursuant to Application for Permit dated November 17, 1975,
and has submitted proof to the Department of Water Resources on January 8, 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 0.08 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>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.08</u> cfs and	<u>2.4 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 0.08 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
2.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 29,
Twp. 51 N, Rge. 5 W, 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 $\frac{1}{4}$	
51 N	5 W	29	X			(2 families)													

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 24 day of
February, 19 76.

Director

Identification No. 95-7569

Application No. _____

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

LICENSE ISSUED FOR 08 880. M.
LICENSE PAGE NO. _____

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Melvin &/or Beth Winebarger &/or
Estel &/or Wanda Winebarger Phone: 773-5278
post office address Route 1, Box 143, Post Falls, Idaho 83854
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29 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 0.08 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. 0.08 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 3/4 h.p. pump, 3/4" 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 6 inches; proposed depth of well is 187 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: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 29 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 two.
(5) If water is to be used for other purposes describe: _____

[illegible]

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

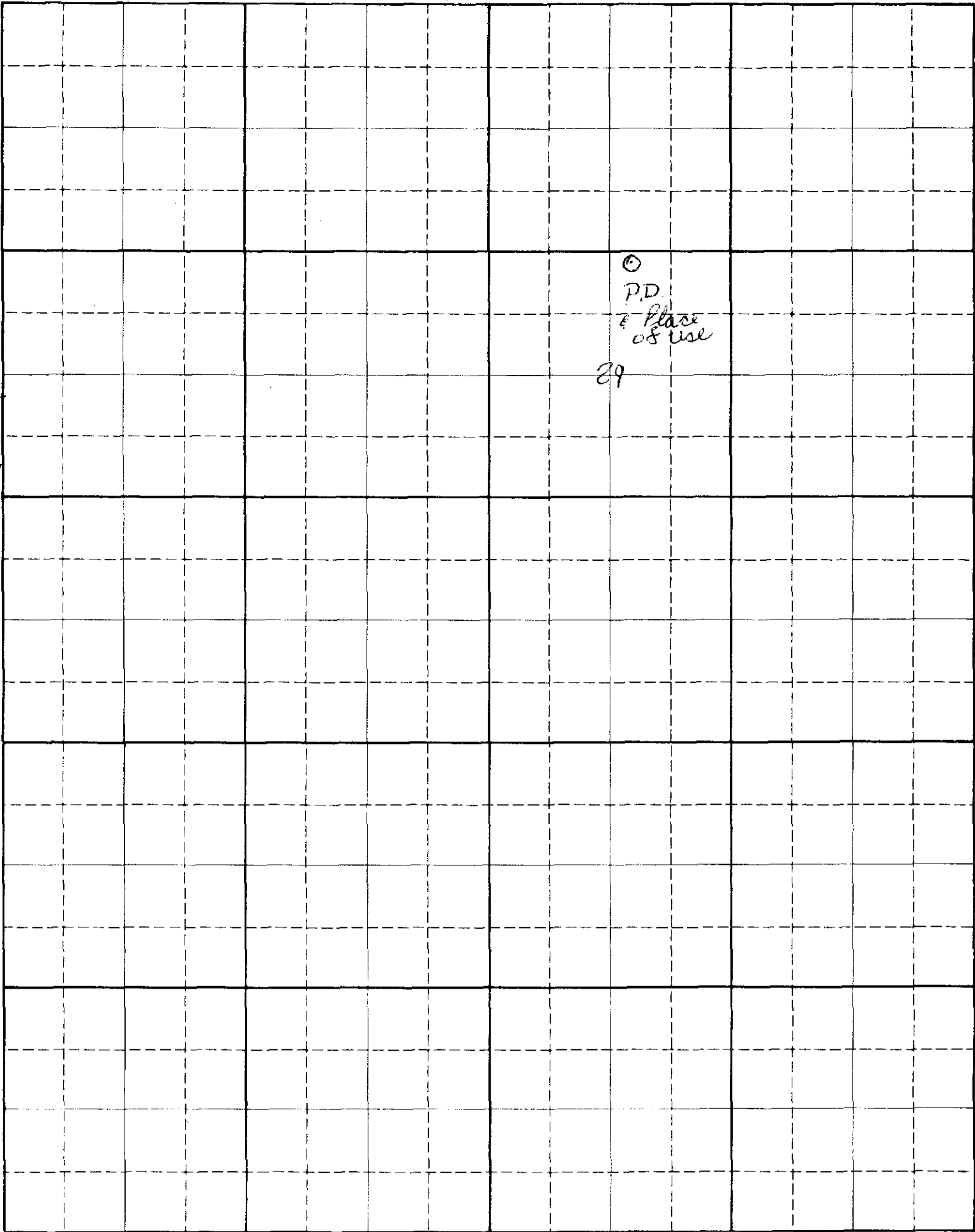
b. Who owns the land to be irrigated or place of use

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

10. Remarks

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

R5W



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.

Don Winbarger
(Applicant)

Proposed Priority 11-17-1975

Received by MAF Date 11-17-75 Time 1:25 PM
Preliminary check by _____ Fee \$ 1000

Received by CP Date 11-17-75 (Rec't. #3868)

Publication prepared by CP Date 11-21-75

Published in Coeur d'Alene Press

Publication dates 11-27 & 12-4-75

Publication approved CP Date 12-15-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by MAF

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. 95-7569, 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 January 1, 19 77.

c. Other: _____

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

Witness my hand this 22 day of December, 19 75.

Director

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,
County of Kootenai, } ss.

DEC 9 1975

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Melvin and/or Beth
Winebarger and/or Estel an-
d/or Wanda Winebarger,
Route 1, Box 143, Post Falls,
Idaho have on November 17,
1975 submitted Application
No. 195-7569 for a permit to ap-
propriate 0.08 cubic feet per
second of water from a ground
water source by means of
pump and pipeline within the
NW 1/4 NE 1/4, Sec. 29, T. 51N, R.
5W, B.M., Kootenai County to
be used from Jan. 1 to Dec. 31
for domestic purposes within
the NW 1/4 NE 1/4 Sec. 29, T. 51N,
R. 5W, 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 Depart-
ment of Water Resources,
4055 Government Way, Coeur
d'Alene, Idaho 83814, on or
before December 15, 1975.

R. KEITH HIGGINSON
Director

Legal 539

Nov. 27, Dec. 4, 1975

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

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 2 consecutive weeks commencing on the 27 day of November, 1975, and ending on the 4 day of December, 1975, and such publication was made as often during said period as said 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 5 day of December, 1975.

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

February 25, 1976

Re: Permit No. 95-7569

Melvin &/or Beth Winebarger
Estel &/or Wanda Winebarger
Route 1, Box 143
Post Falls, ID 83854

Dear Mr. & Mrs. Winebarger:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

FIELD REPORT

1. JAN 21 1976
Name of person

1. **JAN 21 1976** Name of permit holder Melvin &/or Beth Winebarger &/or Estel &/or Wanda Winebarger

Department of Water Resources
Northern District Office

Route 1, Box 143, Post Falls, ID 83854

Phone 773-5278

Person to contact

Phone

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)

Tributary to

3. Water will be used for the following purposes:

Amount 0.08 c.f.s. for Domestic (2)
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. 95-7569
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.08 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 51N N/S, Range 5W E/W, B.M., Section 29, Subdivision NW 1/4 NE 1/4, Kootenai

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County _____

Other Points of Diversions:

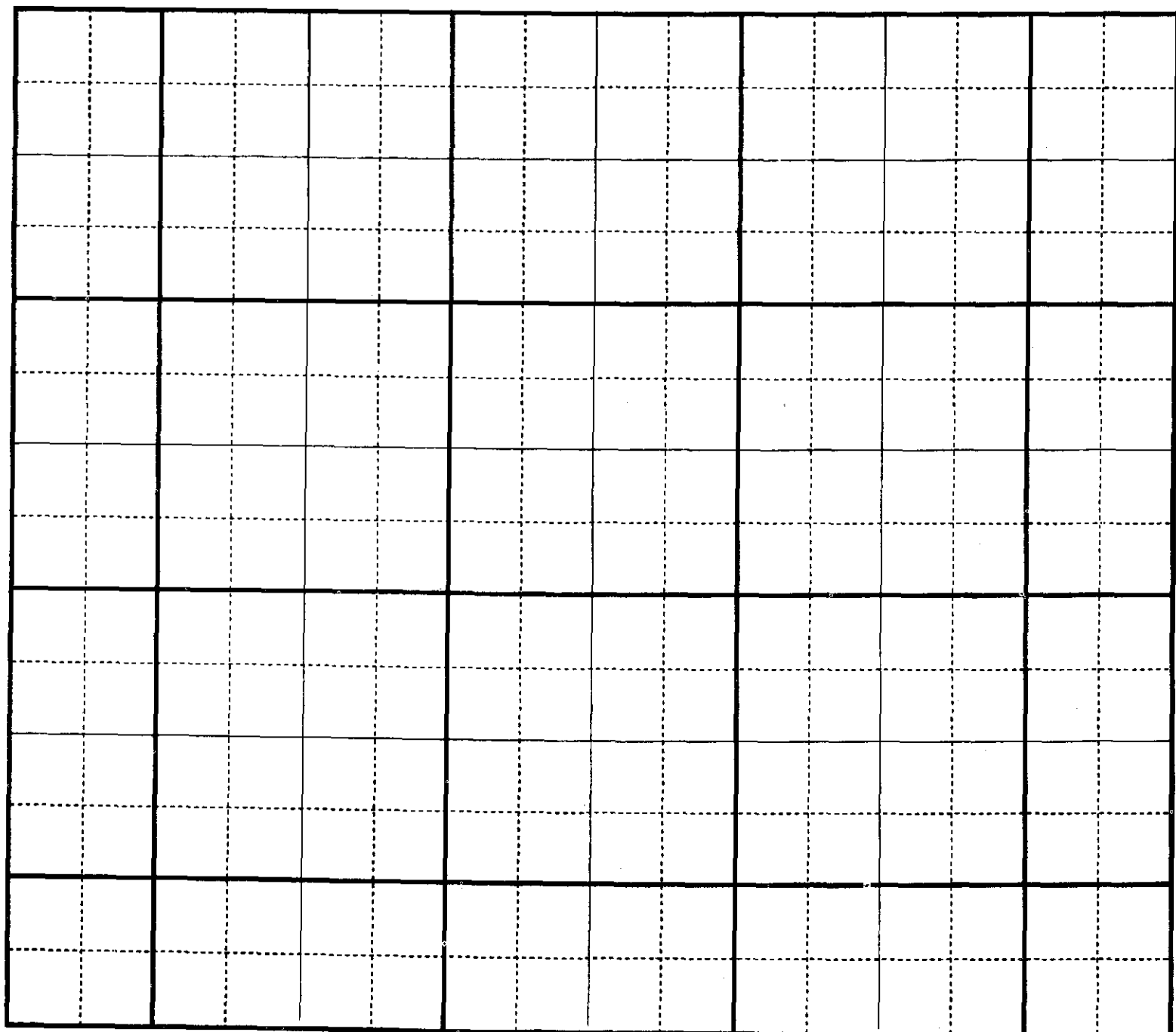
Description of diverting works: 3/4 hp pump, 3/4" pipeline

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

Diagram of System



DATE OF EXAM 1-27-76

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Domestic Q= 0.08 c.f.s. V= 2.4 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 0.08 Method of measurement Est

Total Q recommended 0.08 Meter No. _____ Type _____ Condition _____

Total V recommended 2.4

Recommended Amendments:

P.D. _____

Place of Use _____

X Other _____

None _____

MEASUREMENT CALCULATION:

2 house holds - 0.08 CFS / 2.4 AF/Ann

SYSTEM DESCRIPTION:

X 3/4 H.P. pump 3/4" pipe line

REMARKS:

X Believe Mr. Winebarger to be using this water for irr. also

Examiner's Signature Tom W. Kump Date 1-29-76

Checked by Robert G. Hayes Date 2-20-76

Approved by _____ Date _____

January 19, 1976

Re: Permit No. 95-7569

Estel &/or Wanda Winebarger
Melvin &/or Beth Winebarger
Route 1, Box 143
Post Falls, Idaho 83854

Dear Mr. & Mrs. Winebarger:

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

JAN 8 1976

OKY

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Identification No. _____

Permit No. 95-7569

Department of Water Resources
Northern District Office

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Melvin + or Beth Winebarger + or Estel + or Wanda Winebarger
b) Post Office Address Route 1 Box 143 Post Falls, Idaho 83854
2. Permit Number 95-7569
3. Date of Priority that you are prepared to establish 11/17/75 1:25 p.m.
4. a) Source from which water was appropriated GROUND WATER
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 29
Township 51 N, Range 5 W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.08 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 0.08 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) 3/4 h.p. pump, 3/4" pipeline
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: 1957
AL Boone South 2219 GARFIELD Spokane, WA.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: domestic water for two homes.

Exam typed 119-76 by jan

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.

1/7/76
 (Date)

Beth Weinberger
 (Signature)

State of Idaho)
) ss.
 County of Kootenai)

On this 7th day of January, 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.

Rosalie C. Moody
 Notary Public residing at Post Falls, Id.

My commission expires 11-15-78

December 23, 1975

Re: Permit No. 95-7569

Melvin &/or Beth Winebarger &/or
Estal &/or Wanda Winebarger
Route 1, Box 143
Post Falls, ID 83854

Dear Mr. & Mrs. Winebarger:

Enclosed is a copy of your approved Application for Permit No. 95-7569 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. <u>95-7509</u>
			☒ 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: <u>Idaho State Health Department</u> <u>Idaho Fish and Game Department</u> <u>Bureau of Land Management</u>
(3)			<u>Request Special Use Permit from U.S.F.S.</u> <u>Request Easement from B.L.M.</u> <u>Request Information from Applicant</u>
(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: <u>Declining</u> , <u>Stable</u> , <u>Increasing</u> (comment) _____
(9)			Other rights on the same place of use
(10)			Comments: _____
(11)	<u>cp</u>	<u>12/15</u>	Affidavit of Publication received(date) <u>Dec. 9, 1975</u>
(12)	<u>cp</u>	<u>11/21</u>	Final date for protests <u>DECEMBER 15, 1975</u> Protests received: yes _____ no <u>✓</u>
(13)			All requested information received from agencies or applicant: yes _____
(14)			Action recommended: RECEIVED <u>✓</u> Approve DEC 10 1975 <u>Deny</u> <u>Proposed Priority</u> <u>Department of Water Resources</u> <u>Reason for Reduction</u> <u>No</u> Measuring device required <u>See attached sheet for other conditions of approval</u> <u>No special conditions for approval</u>
(15)	District <u>Northern</u>	By <u>Bob Haynes</u>	Date <u>12-16-75</u>



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1

4055 Government Way

COEUR D'ALENE, IDAHO 83814

(208) 667-6484

November 21, 1975

Re: Application No. 91-7017 - Sherman Lynn and JoAnne LaForce
" " 95-7569 - Winebarger
" " 95-7570 - Phillips and Wright

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
District Supervisor

RGH:CP

Enc: Legal Notice(s)

Bill 12-15-75

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Melvin &/or Beth Winebarger and/or Estel &/or Wanda Winebarger, Route 1, Box 143, Post Falls, Idaho
have ~~has~~ on November 17, 1975 submitted Application No. 95-7569
for a permit to appropriate 0.08 cubic feet per second ~~xxxxxx feet per second~~
of water from a ground water source
by means of pump and pipeline
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 51N, R. 5W, 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. 29, T. 51N, R. 5W, 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 December 15, 1975.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Nov. 27 and Dec. 4, 1975

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
Melvin and/or Beth
Winebarger and/or Estel an-
d/or Wanda Winebarger,
Route 1, Box 143, Post Falls,
Idaho have on November 17,
1975 submitted Application
No. 95-7559 for a permit to ap-
propriate 0.08 cubic feet per
second of water from a ground
water source by means of
pump and pipeline within the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 51N, R.
5W, 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. 29, T. 51N,
R. 5W, 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 Depart-
ment of Water Resources,
4055 Government Way, Coeur
d'Alene, Idaho 83814, on or
before December 15, 1975.

R. KEITH HIGGINSON
Director

Legal 539
Nov. 27, Dec. 4, 1975

O.K.
12-1-75
d