

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7437 Priority April 11, 1974 Amount 0.04 cfs

THIS IS TO CERTIFY, that J. H. McKAHAN
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 95-7437 issued pursuant to Application for Permit dated April 11, 1974,
and has submitted proof to the Department of Water Resources on May 14, 1975,
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 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>0.04</u> cfs and	<u>1.2 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 0.04 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't. Lot 4 of Sec. 16,
Twp. 50 N, Rge. 3 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	
<u>50 N</u>	<u>3 W</u>	<u>16</u>									<u>Gov't. Lot 4</u>								

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 28 day of
July, 19 75.

Director

LICENSE ISSUED FOR 04 SEC. 17
LICENSE PAGE NO. _____

Identification No. 95-7437
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

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

1. Name of applicant J. H. McKahan PH: 664-2452
post office address 722 Empire, Coeur d'Alene, Idaho 83814
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is Gov't. Lot 4 ~~1/4~~ of Section 16 Township 50N
Range 3W 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 _____ 1/4
of _____ 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. Well with pump and motor 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 6 inches; proposed depth of well is 250 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:
Gov't. Lot 4
(1) Give the place of use of water: Gov't. Lot 4 ~~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 One.
(5) If water is to be used for other purposes describe: _____

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.

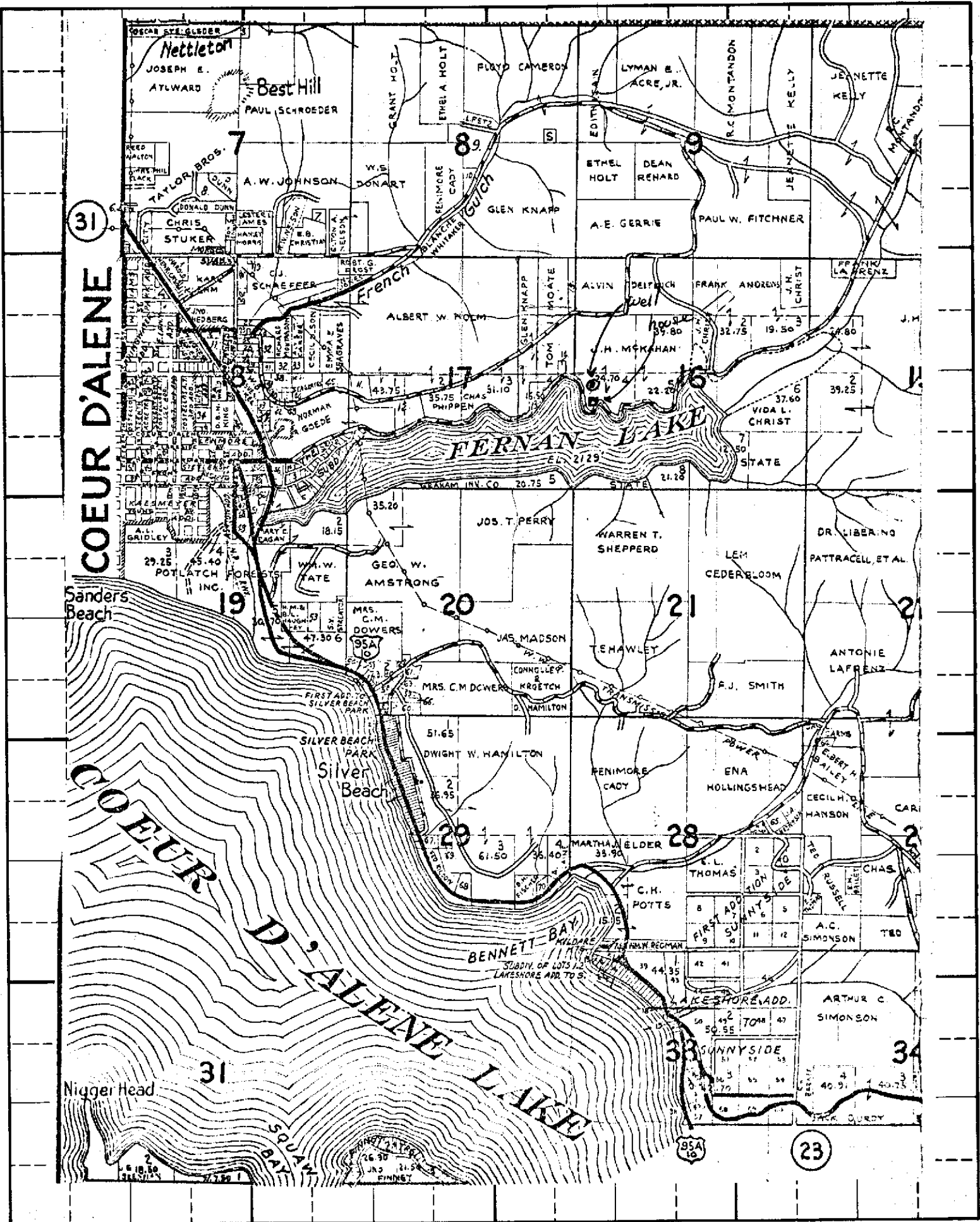
b. Who owns the land to be irrigated or place of use

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

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.

[Signature]
(Applicant)

SS 7437

Proposed Priority 4-11-1974

Received by JP Date 4-11-74 Time 3:30P
Preliminary check by JP Fee \$ 10.00
Received by JP Date 4-11-74 # 1429
Publication prepared by CP Date 4-12-74
Published in Coeur d'Alene Press
Publication dates 4-18 & 4-25-74
Publication approved CP Date 5-6-74
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JP

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7437, 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, 1975.

c. Other: _____

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

Witness my hand this 14 day of May 19 74.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>SP</u>	<u>4/11/74</u>	Application No. <u>95-7437</u>
(2)			☒ 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
(3)	<u>SP</u>	<u>4/14/74</u>	In form to receipt
			Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U. S. F. S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>SP</u>	<u>4/14/74</u>	In form for advertising
(6)			Located within Water District No. _____
(7)	<u>SP</u>	<u>5/12/74</u>	Critical groundwater area: yes _____ no ☒
(8)	<u>SP</u>	<u>5/12</u>	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>CP</u>	<u>5/6</u>	Affidavit of Publication received (date) <u>MAY 2, 1974</u>
(11)	<u>CP</u>	<u>4/12</u>	Final date for protests <u>MAY 6, 1974</u> Protests received: yes _____ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)			All requested information received from agencies or applicant yes _____ no _____
(14)	<u>SP</u>	<u>5/16</u>	Action recommended: ☒ Approve Priority <u>4-11-74</u> ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>Nathan</u>	By <u>[Signature]</u>	Date <u>5/6</u>

RECEIVED
MAY 9 1974

95 7437

Department of Water Administration

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

WEEKLY
RECEIVED

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

MAY 2 1974

Coral Nedger being first duly sworn,
deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

Notice of Application for Water Permit - J. H. McKahan

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for

on the *18* day of *April*, 19 *74*, and ending on the *25* day of *April*, 19 *74*.

Coral Nedger

Subscribed and sworn to, before me, this *1st* day of *May*, 19 *74*.

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. H. McKahan, 722 Empire, Coeur d'Alene, Idaho has on April 11, 1974 submitted Application No. 195-7437 for a permit to appropriate 0.04 cubic feet per second of water from a ground water source by means of well, pump, motor, and pipeline within Gov't. Lot 4, Sec. 16, T. 50N, R. 3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before May 6, 1974.

R. KEITH HIGGINSON
Director

April 18, 25, 1974.

10.80.

95 7437

July 28, 1975

Re: Permit No. 95-7437

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

Dear Mr. McKahan:

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.

RECEIVED

MAY 22 1975

Phone 664-2452

Department of Water Resources

Phone _____ **American District Office**

(name spring, stream, etc.)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

Permit No. 95-7437

Examination for b/u

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

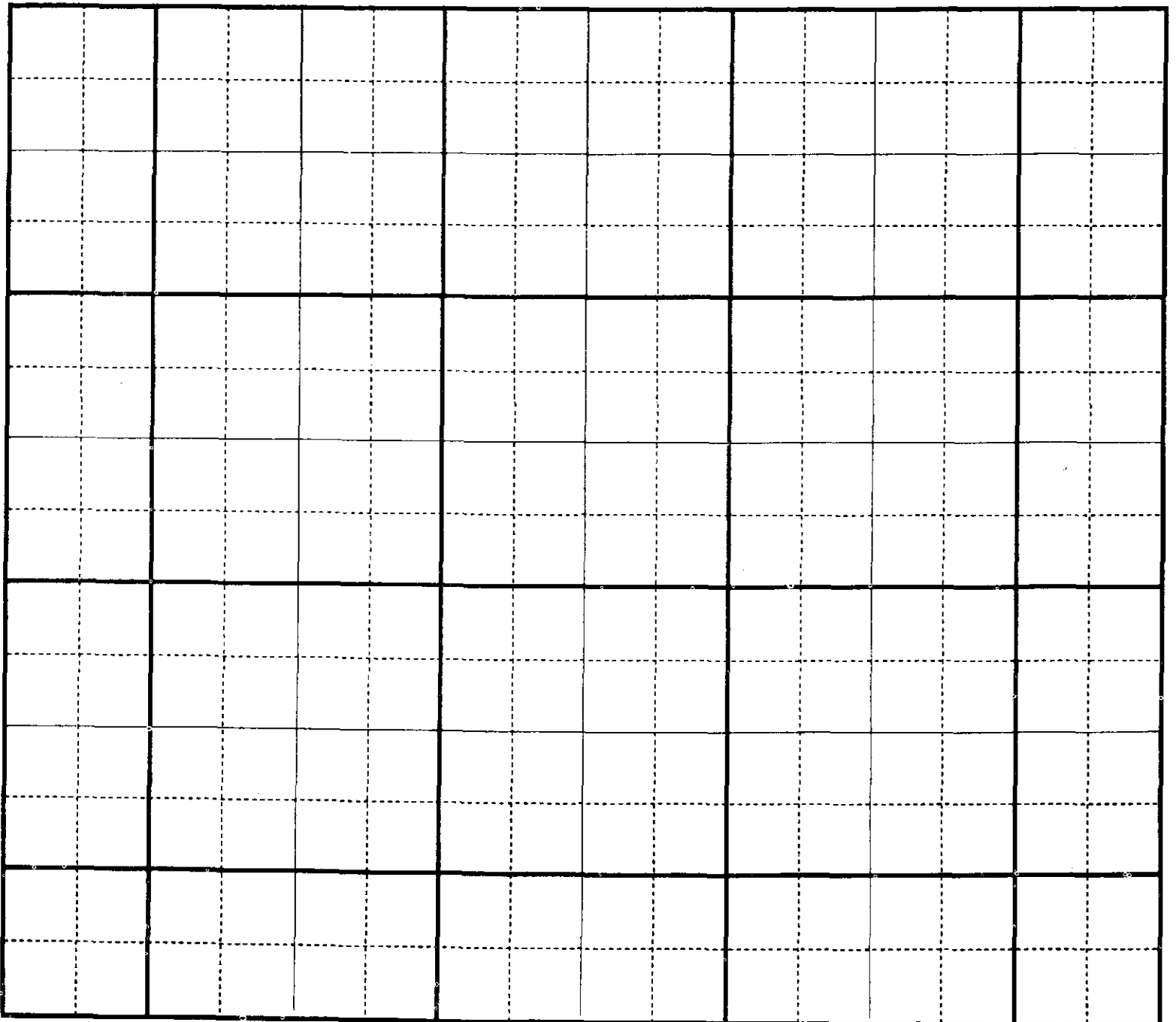
County

County

County

[illegible]**TOTAL ACREAGE**

Diagram of System



DATE OF EXAM 6/2/75

ACREAGE
Found LAWN & GARDEN $\approx \frac{1}{2}$ ACRE
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 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. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____

Exchange? yes _____ no X

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
County _____

Total Q measured 0.04 cfs Method of measurement ESTIMATED

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

Total V recommended _____

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

MEASUREMENT CALCULATION:
1 HOUSEHOLD LAWN & GARDEN X 0.04 C.F.S. $\rightarrow$ 0.04 c.f.s.

SYSTEM DESCRIPTION:
6" WELL 250' DEEP WITH $\frac{3}{4}$ H.P. SUBMERSIBLE PUMP

REMARKS:

Examiner's Signature [Signature] Date 6/2/75
Checked by [Signature] Date 7/8/75
Approved by _____ Date _____

May 21, 1975

Re: Permit No. 95-7437

J. H. McKahan
Route #3, Box 277M
Coeur d'Alene, ID 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 District Office in Coeur d'Alene.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Identification No. _____

Permit No. 95-7437

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 16 1975

Department of Water Resources
Northern District Office

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder J. H. McKAHAN
b) Post Office Address RT # 3 BOX 277M COEUR D'ALENE, ID 83814
2. Permit Number 95-7437
3. Date of Priority that you are prepared to establish APRIL 11, 1974
4. a) Source from which water was appropriated GROUND WATER
b) Location of the point of diversion: GOV LOT 4 1/4 1/4, Section 16
Township 50 N, Range 3 W 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: MEASUREMENT FROM WELL
DRILLER'S TEST (AQUA DRILLING)
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 HP SUBMERSIBLE PUMP
6" - 250'
b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A
c) Give well driller's name and address and the date the well was completed: AQUA DRILLING
COEUR D'ALENE, ID 83814
MARCH 30, 1974
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: DOMESTIC USE ONE HOUSEHOLD AND LESS
THAN 1/2 ACRE IRRIGATION.

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.

5-14-75
(Date)

[Signature]
(Signature)

State of Idaho)
County of Kootenai) ss.

On this 14 day of May, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

ST BOLD
Notary Public residing at CD, Idaho
10/11/75

My commission expires 10 10 77

ok. Sp 5/14/75

● SENDER: Complete items 1 and 2. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). ☐ Show to whom and date delivered..... 15¢ ☐ Show to whom, date, & address of delivery..... 35¢ ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢ ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery..... 85¢	
2. ARTICLE ADDRESSED TO: MICROFILMED	
3. ARTICLE DESCRIPTION:	REGISTERED NO. CERTIFIED NO. INSURED NO. 36712
(Always obtain signature of addressee or agent)	
I have received the article described above.	
SIGNATURE <i>Prof. H. McKahan</i>	
4. DATE OF DELIVERY APR 7 1975	POSTMARK
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

MICROFILMED

**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720**

March 31, 1975

CERTIFIED MAIL

#26712

Re: Permit No. 95-7437

J. W. McKahan
722 Empire
Coeur d'Alene, ID 83814

Dear Mr. McKahan:

One of the conditions of approval of your water Permit No. 95-7437 (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 June 1, 1975. 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.

R. Keith Higginson

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

May 13, 1974

Re: Permit No. 95-7437

J. H. McKahan
722 Empire
Coeur d'Alene, Idaho 83814

Dear Mr. McKahan:

Enclosed is a copy of your approved Application for Permit No. 95-7437 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

95 7437

April 12, 1974

Re: Application No. 95-7435 - Edward &/or Karen Kurowski
" " 95-7437 - J. H. McKahan
Claim No. 95-4250 - C. Robert Schmand

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. ~~in order to receive payment, the following certification must appear on the bill:~~

~~"I hereby certify that the foregoing account is just and correct; that the amount claimed is legally due, after allowing all just credits; and that no part of the same has been paid."~~

~~(signature of claimant)~~

Very truly yours,

FRED EISENBARTH
Northern District Manager

Bill submitted 5-6-74 by CP

FE:cp

Enc: Legal Notices (3)

95 7437

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. H. McKahan,
722 Empire, Coeur d'Alene, Idaho
has on April 11, 1974 submitted Application No. 95-7437
for a permit to appropriate 0.04 cubic feet per second ~~xxxxxx feet per second~~
of water from a ground water source
by means of well, pump, motor, and pipeline
within ~~xxx~~ Gov't. Lot 4, Sec. 16, T. 50N, R. 3W, B.M., Kootenai County
to be used from Jan. 1 to Dec. 31
for domestic purposes
within ~~xxxx~~ 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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before May 6, 1974.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on April 18 and April 25, 1974

95 7437

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that J.
H. McKahan, 722 Empire,
Coeur d'Alene, Idaho has on
April 11, 1974 submitted
Application No. 95-7437 for a
permit to appropriate 0.04
cubic feet per second of water
from a ground water source by
means of well, pump, motor,
and pipeline within Gov't. Lot
4, Sec. 16, T. 50N, R. 3W, B.M.,
Kootenai County to be used
from Jan. 1 to Dec. 31 for
domestic purposes 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 Depart-
ment of Water Administration,
401 Front Ave., Coeur d'Alene,
Idaho, 83814 on or before May 6,
1974.

R. KEITH HIGGINSON
Director

April 18, 25, 1974.

95 7437

o.k.
4-18-74