

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Edmund E. Bacon, Route 2, Box 159-E, Rathdrum, Idaho, has on February 13, 1974, submitted Application No. 95-7422 for a permit to appropriate 0.04 cubic feet per second of water from a ground water source by means of pump and pipeline within the NE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 27, T. 52N, R. 4W, B. M., Kootenai County (Tract 64) to be used from Jan. 1 to Dec. 31 for domestic purposes within the NE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 27, T. 52N, R. 4W, 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 March 11, 1974.

R. KEITH HIGGINSON
Director

Published in the Post Falls Tribune, Post Falls, Idaho, on Feb. 21 and Feb. 28, 1974.

2-21 2tc

AFFIDAVIT OF PUBLICATION

County of Kootenai }
STATE OF IDAHO } ss.

MAR 1 1974

JEANNETTE S. ROSIN, being first duly sworn, deposes and says that she is the publisher of THE POST FALLS TRIBUNE, a newspaper published weekly at Post Falls, Kootenai County, Idaho, and of general circulation therein.

That the NOTICE OF APPLICATION FOR WATER PERMIT

No. 95-7422 Edmund E. Bacon a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for two consecutive issues, commencing

with the issue dated February 21, 1974

and ending with the issue dated February 28, 1974

Subscribed and sworn to before me, this 28th

day of February, 1974

C. Agnes Duchini
Notary Public for the State of Idaho
Residing at Post Falls, Idaho

Publication Fee \$ 12.58

(34) 95 7422

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7422 Priority February 13, 1974 Amount 0.04 cfs

THIS IS TO CERTIFY, that CHARLES A. WALTON
of Rathdrum, Idaho, has complied with the terms and conditions of Permit
No. 95-7422 issued pursuant to Application for Permit dated February 13, 1974,
and has submitted proof to the Department of Water Resources on January 8, 1979,
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 groundwater 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
Domestic	from January 1 to December 31	at 0.04 cfs and	1.2 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 NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27, Twp. 52N,
Rge. 4W, 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 $\frac{1}{4}$	
52N	4W	27								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 27 day of
March, 19 80.


Director

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, EDMUND E. BACON, hereby assign to CHARLES A. WALTON
of Rt 3 Box 444, RATHDRUM, ID.
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 95-7422
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 4th day of March, 19 77.

RECEIVED

JUN 6 1977

Department of Water Resources
Northern District Office

Edmund E. Bacon
Permit Holder

Spouse
Spouse of Permit Holder

State of Idaho)
County of Kootenai) ss.

On this 4th day of March, 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.

seal

My commission expires:

Life term

Alvern Sampson
Notary Public residing at
Rathdrum

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Edmund E. Bacon
 post office address Route #2, Box 159-E, Rathdrum, Idaho
2. Source of water supply Ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 52N
Range 4W B.M. Kootenai County; additional points of diversion if any: _____
Also known as Tract 64
- 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. Submersible pump with 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 273 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 \$ 3,500.00.
8. Description of proposed uses:
 a. If water is **not** for irrigation:
 (1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 27 Township 52N
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 one.
 (5) If water is to be used for other purposes describe: _____

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

Total number of acres to be irrigated.

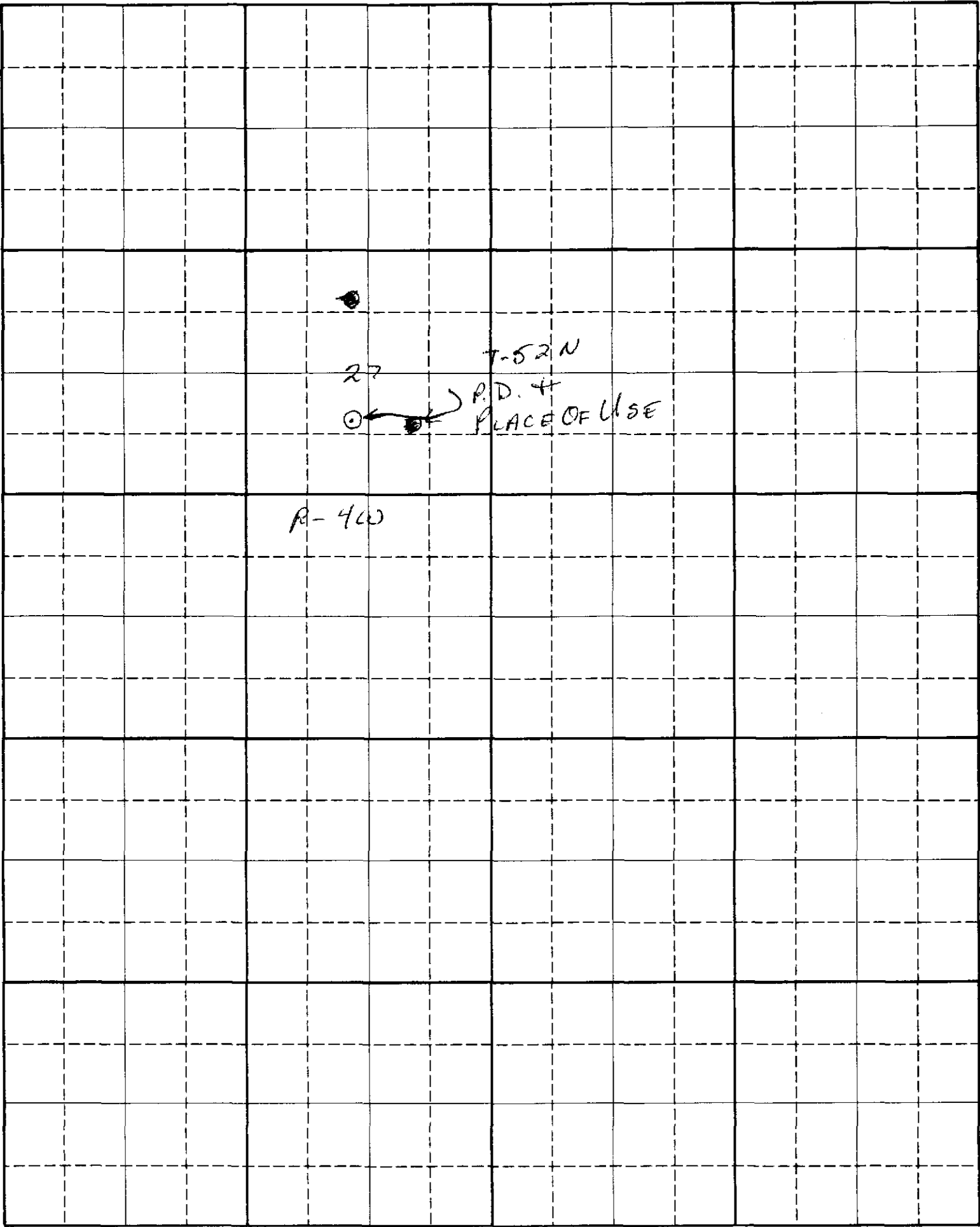
9. a. Who owns the property at the point of diversion _____ Applicant

Applicant

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.

Edmund E Bacon
(Applicant)

Proposed Priority 2-13-1974 95 74222

Received by KK Date 2/13/74 Time 11:45 A
Preliminary check by KK Fee \$ 10.00
Received by KK Date 2/13/74 * 12362
Publication prepared by CP Date 2-15-74
Published in Post Falls Tribune
Publication dates 2-21 & 2-28-74
Publication approved CP Date 3-4-74
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by KK

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. 95-7422, 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 March 1, 19 79.
- c. Other: _____

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

Witness my hand this 25 day of March, 19 74.

E. Kirk H. G.
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JP</u>	<u>2/13/74</u>	Application No. <u>95-7422</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>JP</u>	<u>2/13/74</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>JP</u>	<u>2/13/74</u>	In form for advertising
(6)			Located within Water District No. _____
(7)	<u>JP</u>	<u>2/14/74</u>	Critical groundwater area: yes _____ no <u>✓</u>
(8)	<u>JP</u>	<u>2/14/74</u>	Groundwater levels:
			☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>CP</u>	<u>3/4</u>	Affidavit of Publication received (date) <u>MARCH 1, 1974</u>
(11)	<u>CP</u>	<u>2/25</u>	Final date for protests <u>MARCH 11, 1974</u> Protests received: yes _____ no <u>✓</u>
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>JP</u>	<u>2/14/74</u>	All requested information received from agencies or applicant yes <u>✓</u> no _____
(14)	<u>JP</u>	<u>2/14/74</u>	Action recommended:
			☒ Approve Priority <u>2/13/74</u> ☐ Deny Reason for Reduction _____ ☐ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>North</u>	By <u>Paul Christensen</u>	Date <u>2/13/74</u>

RECEIVED

MAR 19 1974

95 7422

Department of Water Administration

AFFIDAVIT OF PUBLICATION

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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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before March 11, 1974.

R. KEITH HIGGINSON
Director

Published in the Post Falls Tribune, Post Falls, Idaho, on Feb. 21 and Feb. 28, 1974.

2-21 2tc

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and ending with the issue dated February 28, 1974

Subscribed and sworn to before me, this 28th

day of February, 1974

Notary Public for the State of Idaho
Residing at Post Falls, Idaho

Publication Fee \$ 12.58

(34) 85 7422



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

March 27, 1980

Charles A. Walton
Rt. 1 Box 145C
Rathdrum, Idaho 83858

Dear Mr. Walton,

RE: License No. 95-7422

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

MICROFILMED

FIELD REPORT

Person to contact _____ Phone _____

Tributary to _____

3. Water will be used for the following purposes:

AF/Annum (nature of use)

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

AF/Annum (nature of use)

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

AF/Annum (nature of use)

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

Other uses: _____

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:

County

County

County

Other Points of Diversions: _____

Description of diverting works: well, pump, pipeline

Measuring device required: yes ☐ no ☒

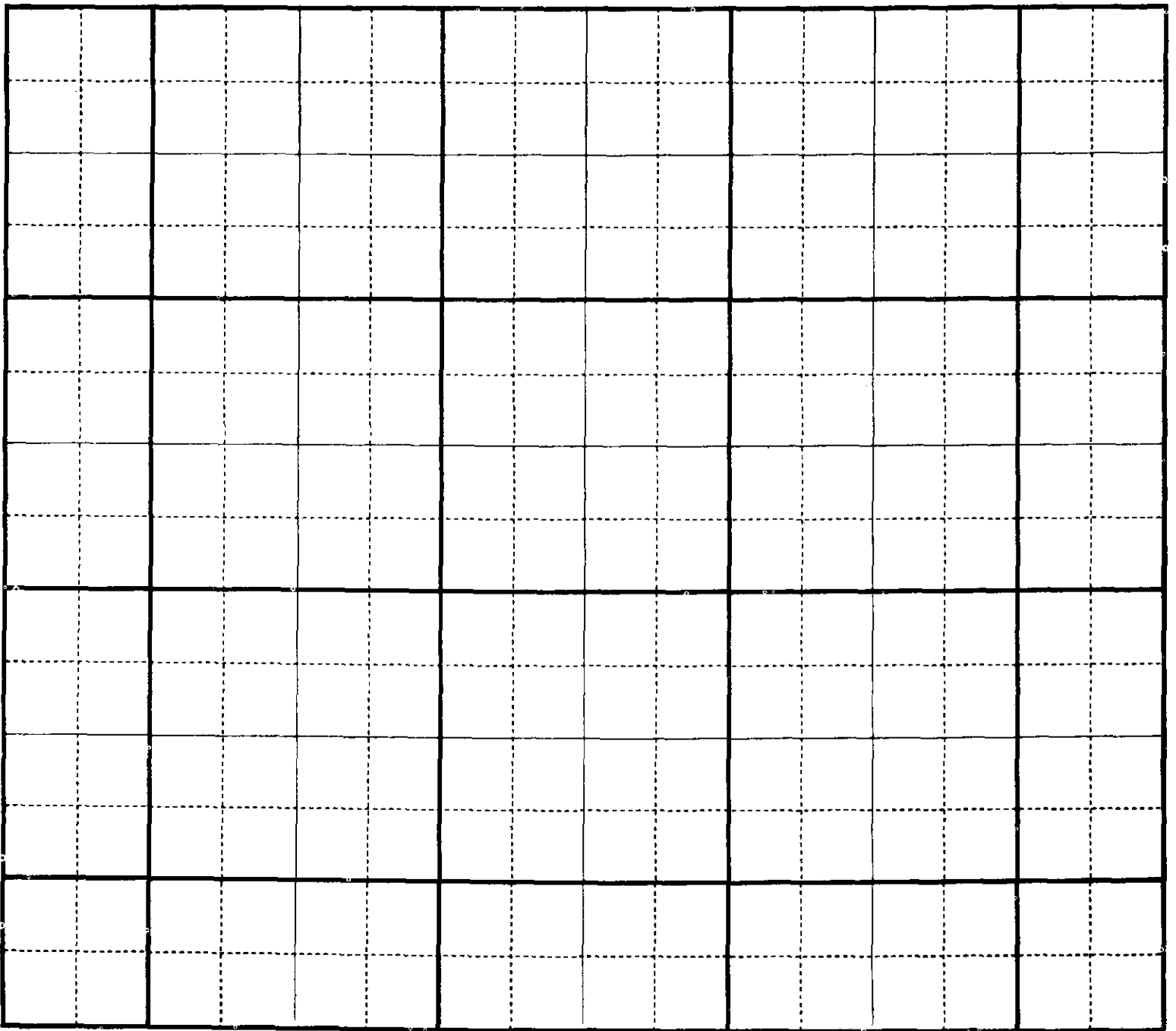
6. Lands to be irrigated or place of use.

[illegible]

MICROFILMED

TOTAL ACREAGE

Diagram of System



DATE OF EXAM 2-26-79

ACREAGE
Found -
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 Dom 1 to Dec 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 None Method of measurement -

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:

SYSTEM DESCRIPTION:

273' x 6" well with submersible pump & pipe line to
place pump

REMARKS:

Could have observed. Tract 64 in ~~NE~~ ~~SE~~ ~~SW~~ ~~NE~~ ~~SW~~ NO house - called on
phone spoke w/ m/s & operator. House is there

Examiner's Signature Tom D. King Jr. Date 2-26-79

Checked by Bob Harper Date 2-27-79

Approved by - Date -

East side
first on left. Charly Taves, turn north
home. 1/4 mile W then green



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

January 24, 1978

Charles A. Walton
Route 1, Box 145-C
Rathdrum, ID 83858

Dear Mr. Walton:

Re: Permit No. 95-7422

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,

RITA FLECK
Water Rights

RECEIVED
JAN 26 1978
BOISE, IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

JAN 9 1979

Department of Water Resources
Northern District Office

1. a) Name of permit holder Charles A. Walton
b) Post office address Rt #1 Box 145-C Rathdrum, Id 83858
2. Permit number 95-7422
3. Date of priority that you are prepared to establish 2-13-74
4. a) Source from which water was appropriated Ground water
b) Location of the point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27
Township 52N, Range 4W 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 &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated _____ 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:
NONE
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:
well pump & pipe line
b) Describe the agreement of 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):
well, pump & pipe line
b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)
NONE

Cafeluna

770

Robert G. Haynes

bram

Korlema

66-8-1

Charles C. Martin

Total number of acres irrigated

[illegible]

Review

Almost as for one house hold within the NE SW, Sec 27, T52N,

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



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

CERTIFIED MAIL

December 29, 1978

100589

Re: Permit No. 95-7422

Charles A. Walton
Route 3, Box 444
Rathdrum, ID 83858

Dear Mr. Walton:

One of the conditions of approval of your water Permit No. 95-7422 (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 March 1, 1979. 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.

RITA FLECK
Water Rights

Encl: Proof affidavit

PROCESSED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

**Statehouse
Boise, Idaho 83720
(208) 384-2215**

July 6, 1977

Re: Permit No. 95-7422

Charles A. Walton
Route 3, Box 444
Rathdrum, ID 83858

Dear Mr. Walton:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Supervisor, Water Rights

JG:JFR

March 27, 1974

Re: Permit No. 95-7422

Edmund E. Bacon
Route #1, Box 159 E
Rathdrum, Idaho 83858

Dear Mr. Bacon:

Enclosed is a copy of your approved Application for Permit No. 95-7422. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

35 7422

February 15, 1974

Re: Application No. 95-7422 - Edmund E. Bacon

Post Falls Tribune
Box 68
Post Falls, ID 83854

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

FE:CP

Enc: Legal Notice

Bill submitted 3-4-74 by CP

~~95-7422~~

95 7422

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2-21 2tc

dit
2-21-74
cd

95-7422

RECEIVED

MAY 15 1973

Department of Water Administration
Northern District Office

RECEIVED

MAY 14 1973

Department of Water Administration
May 8, 1973

Department Of Reclamation

Statehouse-- Annex 2

Boise, Idaho 83707

Dear Sir,

Please send me a application for a water permit. A well to
be used for domestic and irrigation water.

Sincerely yours,

Edmund E. Bacon

Edmund E. Bacon

Rt. 2 Box 159 E

Rathdrum, Idaho 83858

APPL. FOR PERMIT + INSTRUC. SENT 5-16-73. CR

95 7422