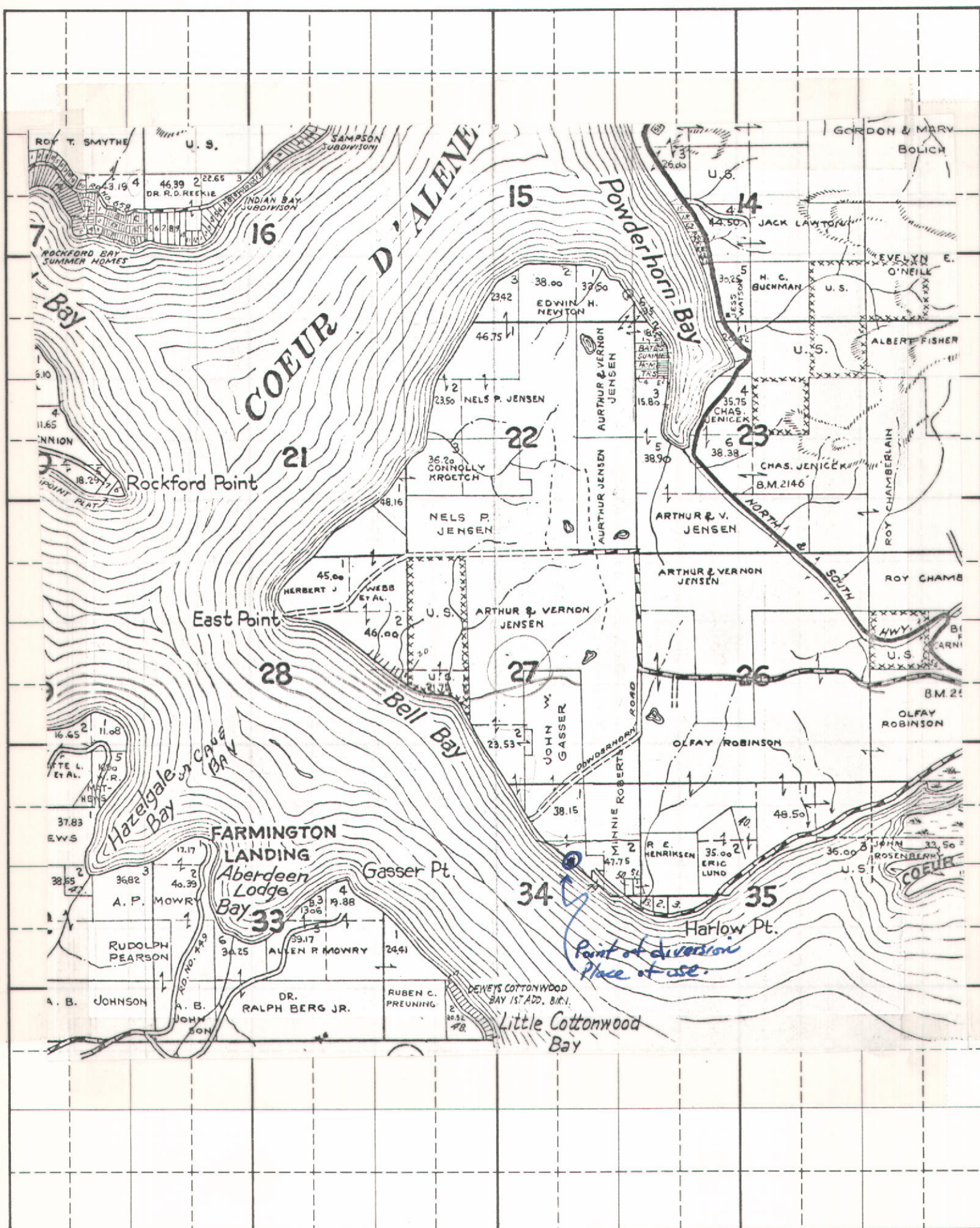


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

John W Gasser
(Applicant)

95 7408

Rge - 4W

T
48
N

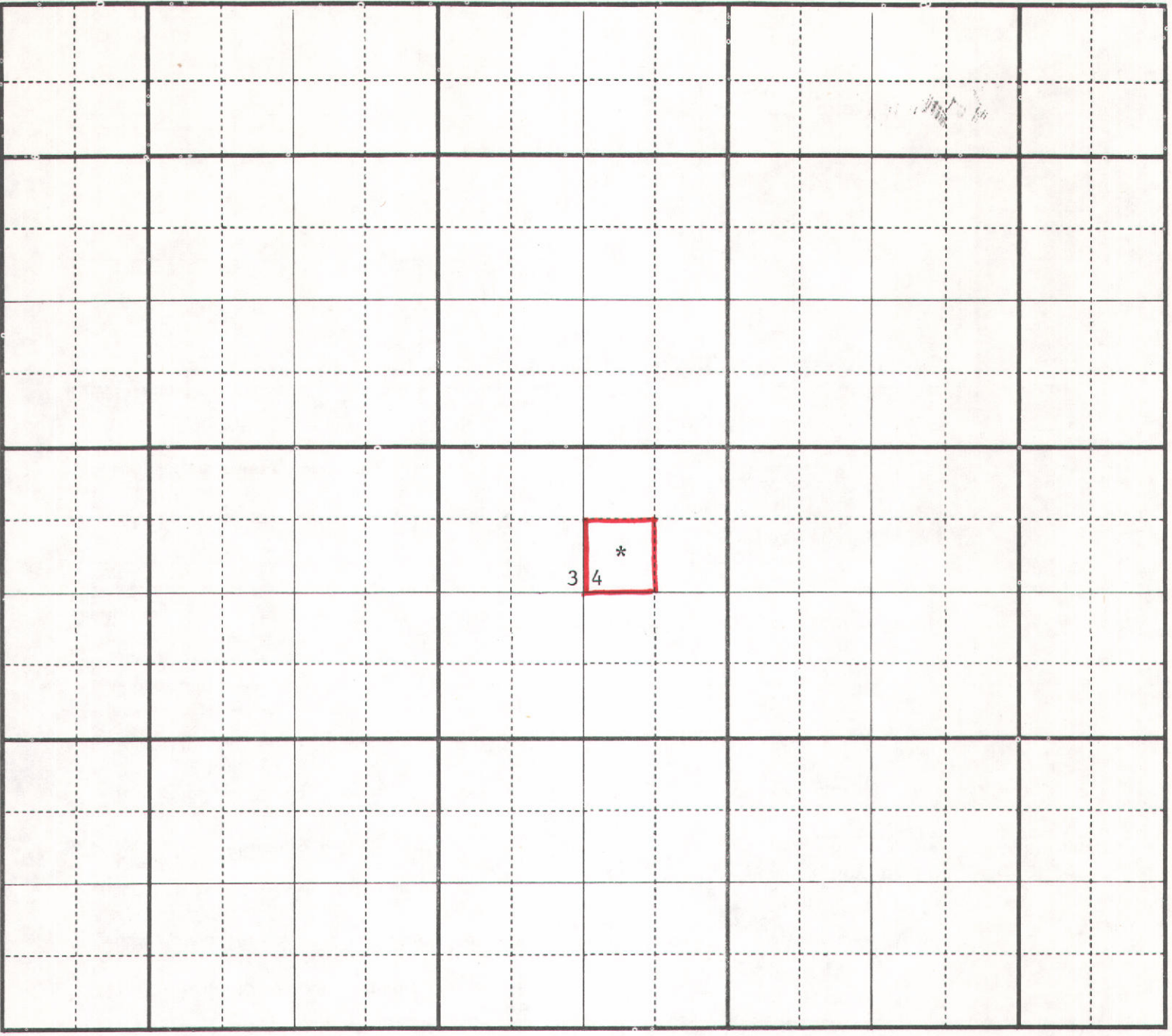


Diagram of System

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 95-7408 Priority Dec. 19, 1973 Amount 0.02 cfs

THIS IS TO CERTIFY, that John W. &/or Phyllis A. Gasser
of Harrison, Idaho, has complied with the terms and conditions of Permit
No. 95-7408 issued pursuant to Application for Permit dated December 19, 1973,
and has submitted proof to the Department of Water Administration on February 20, 1974,
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 0.02 cfs of water from Coeur d'Alene Lake,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>0.02</u> cfs and	<u>1.75 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 0.02 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
1.75 acre feet per year, said waters to be diverted within ~~the~~ Gov't. Lot 2 of Sec. 34,
Twp. 48 N, Rge. 4 W, B. M. in the County of Kootenai

Description and location of place of use:

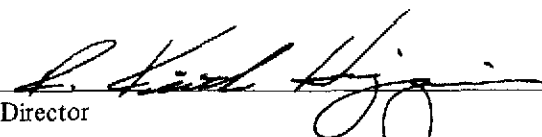
Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
48 N	4 W	34			1/2														1/2

Total number of acres irrigated 1/2

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 19 day of
July, 19 74.


Director

Identification No. 95-7408

Application No. _____

LICENSE ISSUED FOR 02 SEC. 5
LICENSE PAGE NO. 1

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 John W. &/or Phyllis A. Gasser
post office address Route #2, Box 2, Harrison, Idaho

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 ~~1/4 of~~ 1/4 of Section 34 Township 48N
Range 4W 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 0.02 for Irrigation purpose from March 15 to Nov. 15 (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. 0.02 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1½ h.p. motor and 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 _____ 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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: _____

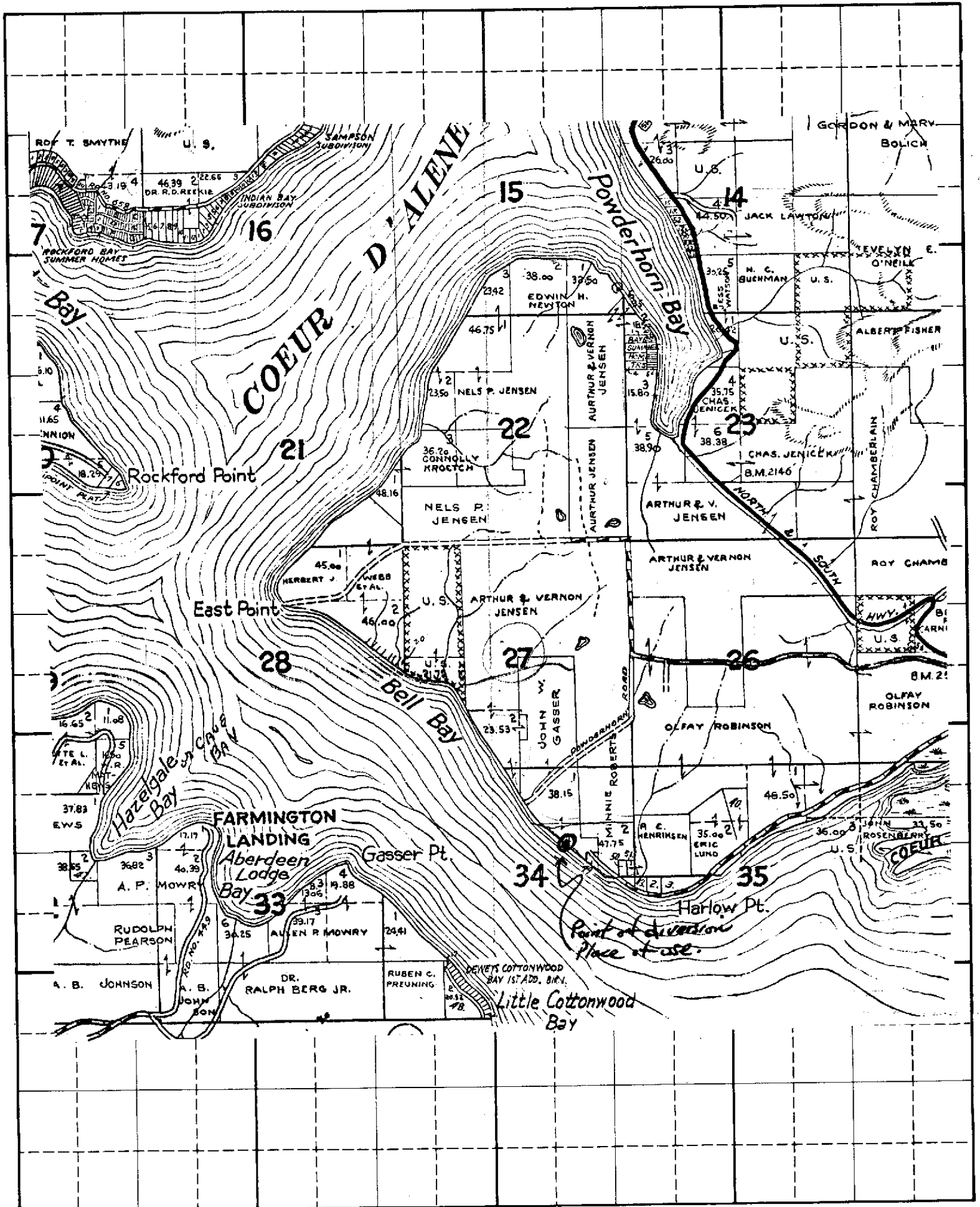
95 7408

[illegible]

10. Remarks Water is used for irrigation of lawn and garden.

88-5759

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.

John W. Gasser
(Applicant)

95 7408

Proposed Priority 12-19-1973

Received by ME Date 12/19/73 Time 1:00 p.m.
Preliminary check by ME Fee \$ 10.00
Received by ME Date 12/19/73 # 12303
Publication prepared by CP Date 12-21-73
Published in Coeur d'Alene Press
Publication dates 12-27-73 & 1-3-74
Publication approved CP Date 1-21-74
Priority reduced to _____ Reason _____
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ME 31K

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. 95-7408, 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 February 1, 1975.

c. Other: _____

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

Witness my hand this 25 day of January, 1974.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FE</u>	<u>12/19/73</u>	Application No. <u>95-7408</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>FE</u>	<u>12/19/73</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>FE</u>	<u>12/19/73</u>	In form for advertising
(6)			Located within Water District No. _____
(7)			Critical groundwater area: yes _____ no _____
(8)			Groundwater levels:
			_____ Decline (comment) _____
			_____ Stable (comment) _____
			_____ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>CP</u>	<u>1/21</u>	Affidavit of Publication received (date) <u>JANUARY 17, 1974</u>
(11)	<u>CP</u>	<u>12/31</u>	Final date for protests <u>JANUARY 14, 1974</u> Protests received: yes _____ no <u>✓</u>
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>FE</u>	<u>1/22/74</u>	All requested information received from agencies or applicant yes <u>✓</u> no _____
(14)	<u>FE</u>	<u>1/22/74</u>	Action recommended: ☒ Approve Priority <u>12/19/73</u> ☐ Deny Reason for Reduction _____ ☐ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>Nathans</u>	By <u>Paul B. Smith</u>	Date <u>1/22/74</u>

95 7408

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

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

Carol Hedge 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 *Application*
95-7408 John Gasser

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for *2* consecutive weeks, commencing on the *27* day of *Dec*, 19 *73*, and ending on the *3* day of *Jan*, 19 *74*.

Subscribed and sworn to, before me, this *15* day of *January*, 19 *74*
Carol Hedge
E. Patrick King
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that John W. &/or Phyllis A. Gasser, Route No. 2, Box 2, Harrison, Idaho have on December 19, 1973 submitted Application No. 95-7408 for a permit to appropriate 0.02 cubic feet per second of water from Coeur d'Alene Lake by means of pump, motor, and pipeline within Gov't. Lot 2, Sec. 34, T. 48N, R. 4W, B.M., Kootenai County to be used from March 15 to Nov. 15 for the irrigation of $\frac{1}{2}$ acre within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 48N, 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 January 14, 1974.

R. KEITH HIGGINSON
Director

Dec. 27, 1973, Jan. 3, 1974

95 7408

272-1
10.44

July 23, 1974

Re: Permit No. 95-7408

Mr. & Mr. John Gasser
Route 2, Box 2
Harrison, Idaho 83833

Dear Mr. & Mrs. Gasser:

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

Sincerely,

BOBBY D. FREENOR
Chief, Water Rights

BDF;jfr

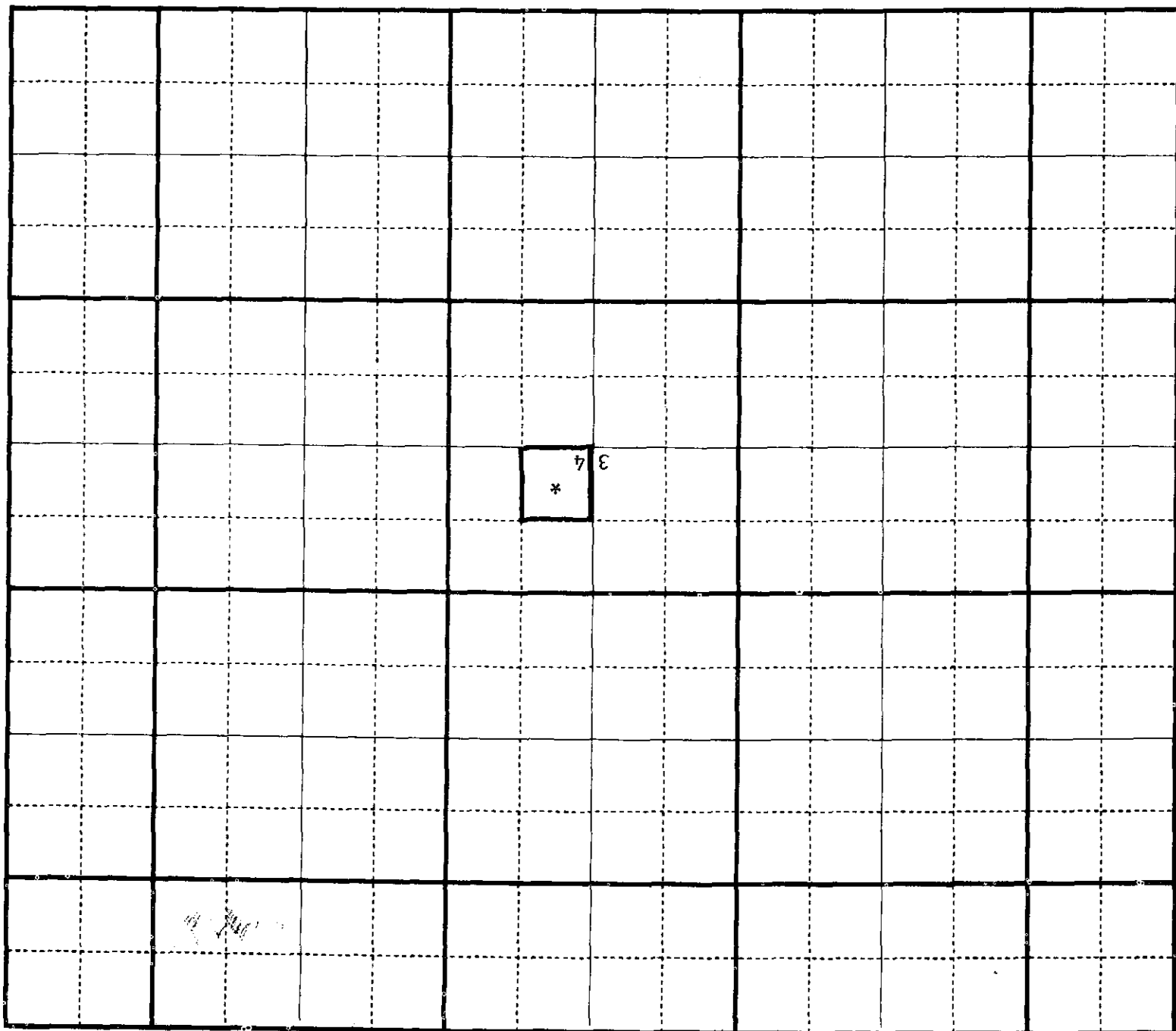
Enclosure

95-7408

DECEMBER 1950

TOTAL ACREAGE 95-7408 $\frac{1}{2}$

Diagram of System



N
48
T

Rge - 4W

95-746

DATE OF EXAM 6/24/74

ACREAGE

Found 1/2 acre

Recommended 1/2 acre

Irrigation Requirement 3.5 af Ac Ft/Ac

USE

Irrigation Q = .02 c.f.s. V = 1.75 af AF/Ann. from 3/15 to 11/15

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

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 .02 Method of measurement estimated

Total Q recommended .02 Meter No. _____ Type _____ Condition _____

Total V recommended 1.75 af/season

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

estimated

SYSTEM DESCRIPTION:

1 1/2 hp pump & motor with pipe line to garden & lawn.

REMARKS:

Licence for 1/2 acre @ .02 cfs

Examiner's Signature [Signature] Date 6/24/74

Checked by [Signature] Date 6/26/74

Approved by _____ Date _____

95-7408

February 22, 1974

Re: Permit No. 95-7408

John W. &/or Phyllis A. Gasser
Route #2, Box 2
Harrison, ID 83833

Dear Mr. & Mrs. Gasser:

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 concerning the field exam, please contact our Northern District Office at 401 Front. Ave., Room 209, Coeur d'Alene, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

95-7408

Identification No. _____

Permit No. 95-7408

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

FEB 20 1974

Department of Water Administration
Northern District Office

1. a) Name of Permit Holder John W. & Phyllis A. Gasser
b) Post Office Address Route # 2 Box 2, Harrison, Idaho
2. Permit Number 95-7408
3. Date of Priority that you are prepared to establish 12-19-1923
4. a) Source from which water was appropriated Coeur d'Alene Lake
b) Location of the point of diversion: Gov't lot # 2 $\frac{1}{4}$ Section 34
Township 48N, Range 4W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .02 cfs for Irrigation purposes from 3/15 to 11/15 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 .02 cfs 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) 1 1/2 hp motor & 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: None
c) Give well drillers name and address and date the well was completed _____

Exam typed 2/22/74 by jc

95-7408

Sept. 11, 1976

Carol M. Roberts
Notary Public residing at - 624

State of IDAHO ss. County of BOOTHE

(Date) 2/20/74

John W. Gress

10. Remarks:

2

[illegible]

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

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

8042-56

January 29, 1974

Re: Permit No. 95-7408

John W. &/or Phyllis A. Gasser
Route 2, Box 2
Harrison, Idaho 83833

Dear Mr. & Mrs. Gasser:

Enclosed is a copy of your approved Application for Permit No. 95-7408. 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 7408

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

January 15, 1974

Re: Application No. 94-7044 95-4208
 Claim No. 95-4205 95-4209
 " " 95-4206 95-7408
 " " 95-4207

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

Gentlemen:

Could you please submit the affidavits of publication and bills in connection with the above referenced items. The legal notices were to have been published in your newspaper on December 27, 1973 and January 3, 1974.

Your assistance in this matter is appreciated.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

95 7408

December 21, 1973

Re: Application No. 94-7044 Claim No. 95-4207
 " " 95-7408 " " 95-4208
 Claim No. 95-4205 " " 95-4209
 " " 95-4206

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 1-21-74 by CP

FE:CP

Enc: Legal Notices (7)

95 7408

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that John W. &/or Phyllis A. Gasser,
Route #2, Box 2, Harrison, Idaho
~~has~~ have on December 19, 1973 submitted Application No. 95-7408
for a permit to appropriate 0.02 cubic feet per second ~~XXXXXX~~
of water from Coeur d'Alene Lake
by means of pump, motor, and pipeline
within ~~the~~ Gov't. Lot 2, Sec. 34, T. 48N, R. 4W, B.M., Kootenai County

to be used from March 15 to Nov. 15
for the irrigation of 1/2 acre

within the SW 1/4, Sec. 34, T. 48N, 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 January 14, 1974.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Dec. 27, 1973 and Jan. 3, 1974

95 7408

NOTICE OF APPLICATION
FOR WATER PERMIT

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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 January 14, 1974.

R. KEITH HIGGINSON

Director

Dec. 27, 1973, Jan. 3, 1974

o.k.
1-2-74
CP

95
7408