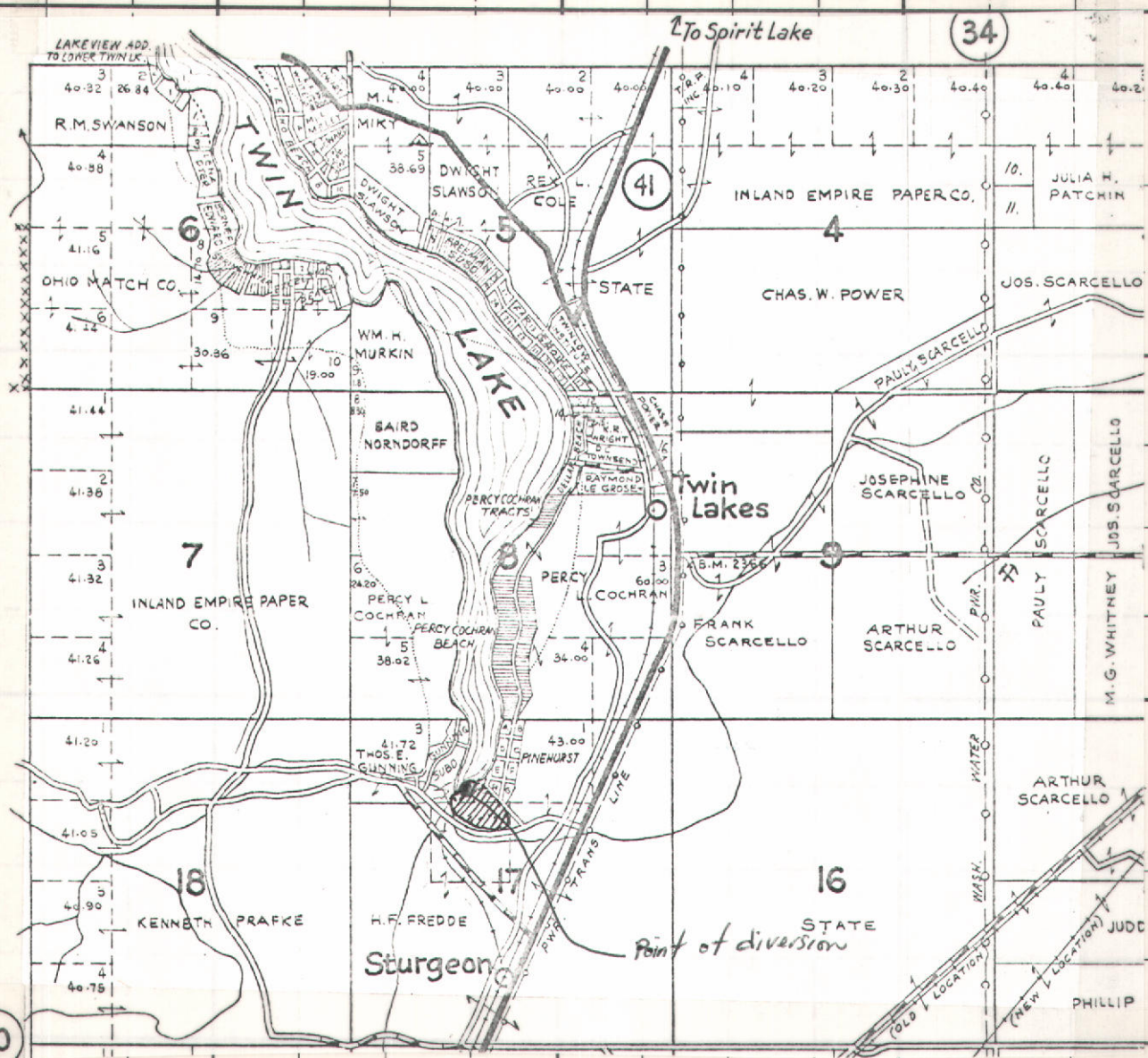


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Roger Beem
(Applicant)



7 8
18 17

(200)(380)=

P/U
lower
iff
1/2 AC
P/D
2 AC
upper
iff
P/U

MICROFILMED

MAR 17 1989

TWP. 52N, RGE. 4W SEC. 17 MAP #

DATE OF EXAM _____

MAP SCALE 660' = 1"

PERMIT # 95-7379

7 8
18 17 III

33

34

24

39

3086

37
36

T-3655

40

T-6176

95-0961
95-0922
0922

III

III I

II

I

Approximate line of original survey

NOTE: Lines between Government Lots I, II & III assumed by using Rule of Accretion.

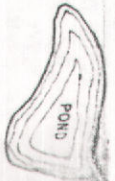
32

1 inch = 400 ft.

HIGHWAY 41

MICROFILMED

MAR 17 1989



GOLF COUR

TWIL

PINEHURST

I

C16

C11

C12

C13

C14

C15

95-0843

95-0907

95-7474

95-0963

95-0753

95-0722

95-0779

95-0812

95-7481

95-7639

95-0857

95-0744

95-0373

95-0974

95-7379

95-4346

95-7703

95-7499

95-7700

95-4257

POND

GOLF COUR

TWIL

95-7379

Twin Lakes Station

Twin Lakes

ELEV 2306 OCT 1961

PACIFIC

AND

ST PAUL

Sturgeon

CHICAGO

NORTHERN

PIPELINE

ROAD

Pine Grove Cem

MICROFILMED
MAR 17 1963

POST FALLS (U.S. 10) 11 MI
RATHDRUM 1.3 MI.

WASH. 29 MI.
RATHDRUM 1.2 MI.

53

53

30

29

28

27

19

20

21

22

18

17

16

15

2677

3065

2400

2300

8

9

1

2308

Gravel Pit

2300

2306

BM 2303

Gravel Pit

2313

2300

BM 2290
Station Magnetic

2300

2271

2270

BM 2272

2272

2240

2238

2220

2218

2224

2241

2260

2240

2240

2253

2260

2266

2250

2201

0-101

R

E

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-07379

Priority: October 4, 1973 Amount: 0.09 CFS 10.5 AFA

This is to certify, that ROGER BACON
N. 4200 GUNNING RD.

RATHDRUM, ID 83858 has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated October 3, 1973, and
has submitted proof to the Department of Water Resources on April 2, 1984, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .110 cfs of water from:

TWIN LAKES

source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.09 CFS	10.5 AFA

LOCATION OF POINT(S) OF DIVERSION: LOT 2(SENW), Sec. 17, Township 52N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
52N 04W 17 LOT 2(SENW) 3				3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license may continue subject to the above condition until the lake fills to 10.4 feet on the gauge and begins to recede below that level.
5. Regulation of use of water as herein determined shall be subject to the control by the Department of Water Resources until such time as a water district is formed and a watermaster can be appointed.
6. No water may be withdrawn from Twin Lakes under this license

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MAR 17 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 95-07379

CONDITIONS/REMARKS:

unless water is spilling from the lake that is not beneficially used by prior appropriators including the irrigation district under the district's right to divert 45.74 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of MARCH, 1989.

By _____

Director

Norm C Young

MAR 12 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7379 IN THE
NAME OF ROGER A. BACON

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before April 1, 1979; and,

WHEREAS, on April 9, 1979, the Department granted a request for extension of time until April 1, 1984; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on April 1, 1984, the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on April 2, 1984;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-7379 be REINSTATED and the priority advanced to October 4, 1973.

Dated this 17th day of April, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Northern District Office

To provide additional time in which to submit
proof of beneficial use on a water right permit

Roger A Bacon of RT 4 Box 655 Rathdrum
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 95-2379.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before April 1, 19 79.

That he has heretofore performed the following work described under said permit: cleared and irrigating approx. 8 acres.

Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Holding a full-time job away from the property has made it impossible to complete the project.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to April 1, 19 84.

Roger A Bacon
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to April 1, 1984.

Signed this 9th day of April, 19 79.

L. Glen Saxton
Chief, Operations Bureau

BEFORE THE DIRECTOR OF THE
DEPARTMENT OF WATER ADMINISTRATION
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NOS. 95-7302,)
95-7379, 95-7418, 95-7331,)
95-7334 and 95-7391.)

MEMORANDUM DECISION

Application for Permit No. 95-7302 was filed by Upper Twin Lakes Water Company on June 11, 1973, seeking a permit to appropriate 0.17 second foot of water from Upper Twin Lakes to be used for domestic and fire protection purposes. The application was protested by Clifton P. Holm, the U.S. Bureau of Reclamation, the East Greenacres Irrigation District, Lake Forest Homes, and the Twin Lakes Improvement Association.

Application for Permit No. 95-7379 was filed by Roger Bacon on October 3, 1973, seeking a permit to appropriate .2 second foot of water from Lower Twin Lakes for irrigation purposes. The application was protested by the Upper Twin Lakes Water Company.

Application for Permit No. 95-7418 was filed by Rudolph and Esther M. Stammerjohan, seeking a permit to appropriate .02 second foot of water from Upper Twin Lakes for domestic purposes and was protested by the East Greenacres Irrigation District.

Each of the above applications was the subject of a conference held at Coeur d'Alene, Idaho, on March 28, 1974. The three application matters were consolidated for the purpose of that conference by agreement of all parties. After an informal discussion, it was agreed by representatives of all of the applicants and protestants that the matter would be determined by the department based upon information available to it concerning the water supply and water rights at Twin Lakes without the necessity of a formal hearing.

Application for Permit No. 95-7331 was filed by Tim Lane on June 30, 1973, seeking a permit to appropriate .12 second foot of water from Upper Twin Lakes for domestic, fire protection and irrigation purposes. The application was not protested.

95 7379
95 7379

Application for Permit No. 95-7344 was filed by Homer F. Pointner on August 14, 1973, seeking a permit to appropriate .01 second foot of water from Lower Twin Lakes for domestic purposes. The application was not protested.

Application for Permit No. 94-7391 was filed by Homer Steele on October 16, 1973, seeking a permit to appropriate .2 second foot of water from Upper Twin Lakes for domestic and fire protection purposes. The application was not protested.

Each of these six applications seeks to appropriate water from Twin Lakes which has been the subject of considerable water right controversy in recent years. That controversy has resulted in decisions of the Idaho Supreme Court and the First Judicial District Court in the case of Twin Lakes Improvement Association, Inc., et al vs. East Greenacres Irrigation District. It was determined that the East Greenacres Irrigation District had rights to store water in Twin Lakes and to withdraw water from the lake subject to two limitations:

(1) The District may withdraw water at a rate of 45.74 cubic feet per second, provided it can be applied to a beneficial use.

(2) The District is prohibited from raising the waters of the lake above the elevation of 10.4 feet on the outlet gauge or lowering the waters of the lake below 6.4 feet on the outlet gauge.

It was agreed at the conference that the only water available for appropriation is the surplus to present uses and rights which spills from the lake during the spring runoff period and which is not beneficially used by the irrigation district or other prior appropriators. However, after the lakes have once filled to 10.4 feet elevation on the staff gauge at the outlet each year and begin to recede below 10.4 feet, there would be no surplus waters available for these or any other permits. It was therefore agreed that any permits issued by the Department of Water Administration, which recognized that water was available only under these conditions, could be approved without interfering with prior water rights. Since all of the six above-numbered applications similarly propose to take water from the lakes,

their approval must be similarly conditioned to prevent overuse of the available water supply.

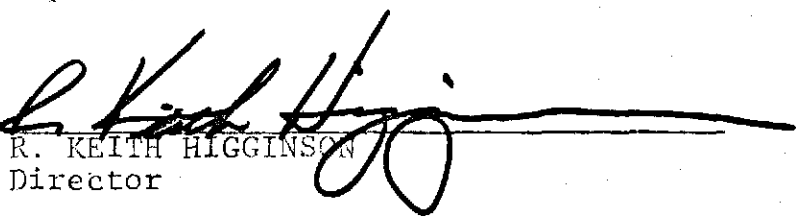
IT IS THEREFORE ORDERED and Application for Permit Nos. 95-7302, 95-7379, 95-7418, 95-7331, 95-7334 and 95-7391 are each hereby approved, subject to prior existing rights and the following conditions of use:

(1) No water may be withdrawn from Twin Lakes under any of these permits unless water is spilling from the lake that is not beneficially used by prior appropriators including the irrigation district under the district's right to divert 45.74 cubic feet per second.

(2) Use of water under these permits may continue subject to condition #1 above until the lake fills to 10.4 feet on the gauge and begins to recede below that level.

(3) Regulation of use of water as herein determined shall be subject to the control by the Department of Water Administration until such time as a water district is formed and a watermaster can be appointed.

DATED this 22nd day of April, 1974.


R. KEITH HIGGINSON
Director

Identification No. 95-7379

Application No. _____

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 Roger Bacon
post office address Route #2, Box 600, Rathdrum, Idaho
2. Source of water supply Lower Twin Lakes which is a tributary of _____
3. a. Location of point of diversion is Gov't. Lot 2 ~~1/4~~ of Section 17 Township 52N
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 _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.2 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. 0.2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump, motor, and sprinklers.

- 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: _____ 1/4 of _____ 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 7379

Total number of acres to be irrigated 10

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 _____ Applicant

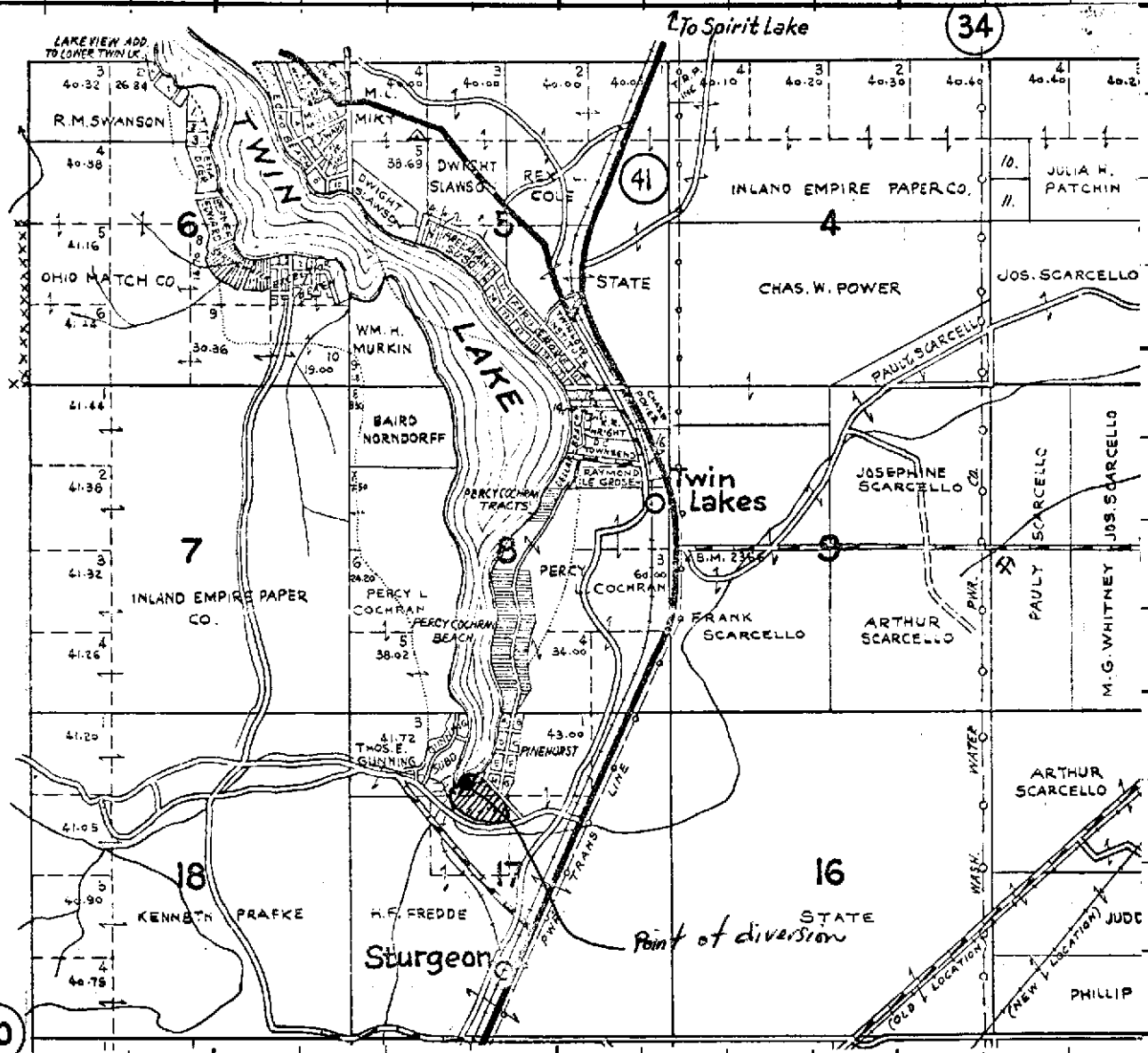
b. Who owns the land to be irrigated or place of use

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.

Rose Bacon
(Applicant)

55 7359

Proposed priority: 10/3/1973

Received by CP Date 10-3-73 Time 1:00 P
Preliminary check by JB Fee \$ 10.00
Received by JB Date 10/3/73 & 11/17
Publication prepared by CP Date 10-5-73
Published in Coeur d'Alene Press
Publication dates 10-11 & 10-18-73
Publication approved CP Date 10-29-73
Priority reduced to Reason
Protests filed by: Board of Directors, Upper
Twin Lakes Water Company
Copies of protests forwarded by CP
Hearing held by Date
Recommended for approval denial by

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. 95-7379, 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.

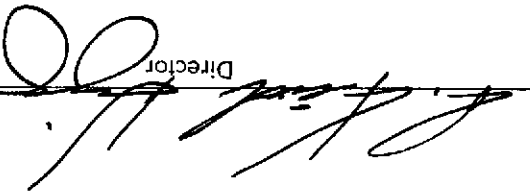
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 79.

c. Other: Pursuant to Memorandum Decision of this date.

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

Witness my hand this 22nd day of April, 19 74.

Director



AFFIDAVIT OF PUBLICATION - COEUR D'ALENE PRESS

RECEIVED
(WEEKLY)

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

OCT 25 1973

Carol J. Hedge

Department of Water, 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 for water permit

95-7379

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 11th day of Oct., 19 73, and ending on the 18th day of Oct., 19 73

Subscribed and sworn to, before me, this 21st day of Oct.

19 73

Carol J. Hedge

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 Roger Bacon, Route No. 2, Box 600, Rathdrum, Idaho has on October 3, 1973 submitted Application No. 95-7379 for a permit to appropriate 0.2 cubic feet per second of water from Lower Twin Lakes by means of pump, motor, and sprinklers within Gov't. Lot 2, Sec. 17, T. 52N, R. 4W, B.M., Kootenai County to be used from March 15 to Nov. 15, for the irrigation of ten acres within the E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17, 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 October 29, 1973.

R. KEITH HIGGINSON
Director

Oct. 11, 18, 1973

95 7379

March 13, 1989

ROGER BACON
N. 4200 GUNNING RD.
RATHDRUM, ID 83858

RE: PERMIT NO. 95-07379

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

UNRECORDED

MAR 17 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 95-7379
Name(s) of Permit Holder(s): Roger A or Gannet J Bacon
Post Office Address: RT 4 Box 655
Rathdrum, Id. 83858 Tel. No. 687-1475

☒ I hereby certify that construction of diversion works for the above referenced permit began on July 1977 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

7-26-82
Date

Roger A. Bacon
Signature of Permit Holder

Dr. Mary Walker
Army Surgeon



Medal of Honor
USA 20c

ALWAYS USE

83558 ZIP CODE

MICROFILMED

MAR 17 1989



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

AUG 2 1982

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$7 @ 2\frac{1}{2} \text{ gal} = 17.5 \text{ gpm}$$

$$\frac{1}{64} @ 40 \text{ psi} = 5.02 \text{ gpm}$$

$$\frac{1}{64} @ 32 \text{ psi} = 4.73 \text{ gpm}$$

$$\frac{5}{32} @ 34 \text{ psi} = 4.10 \text{ gpm}$$

$$\frac{1}{64} @ 34 \text{ psi} = 4.88 \text{ gpm}$$

$$\frac{3}{16} @ 48 \text{ psi} = 7.03 \text{ gpm}$$

$$\frac{3}{16} @ 42 \text{ psi} = 6.57 \text{ gpm}$$

$$\frac{49.83 \text{ gpm}}{448.8} = 0.11 \text{ cfs}$$

Examiner
shows
cannot
verify
since
we don't
have the
model numbers
for the
sprinklers.

- b) Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{3.5} = 10.5 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{43.7 \text{ AFA}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion:
- only domestic uses
-
- diverted within this section - no overlap

- c) Analysis:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 17 1984

Condition ③ Use of water under this right
may continue subject to the above
condition until the lake fills to 10.4
feet on the gauge and begins to
recede below that level.

pd. \$50.00
exam fee

RECOMMENDED AMOUNTS

10 day

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
------------	----------	--------	-----------	----------------------	-----------------

3. Permit Holder: Roger Bacon
Address: N. 4200 Gunning Rd., Rathdrum, ID 83858
5. Source: Twin Lakes tributary to _____

6. Beneficial Use: Irrig.
Period of Use: From 3-15 To 11-15
Rate of Diversion: 0.09 cfs
Annual Volume: 10.5 AFA
V (afa)

7. Point(s) of Diversion: ✓
Allowable Maximums: 0.09 cfs 10.5 AFA

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
	2		SE NW	17		52N	4W	Kootenai

Twp.	Rge.	Sec.	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	Totals
52N	4W	17									3
											3
Total Acres 3											

9. Recommended Conditions/Remarks: ① ROH (Twin Lakes - may be #95?)
② No water may be withdrawn from Twin Lakes under this right unless water is spilling from the lake that is not beneficially used by prior appropriators including that right of East Greenacres Irrigation District.
③ see on other side of this paper.
10. Recommended Amendments: None ☒ Add P.D. as reflected above ☐ Add P.U. as reflected above ☐ Other

11. Examiner's Signature: _____
Checked in Regional Office by: R. Wallace
Approved in State Office by: R. Wallace
Date: _____
Date: 4/30/87

May 28, 1987

ROGER BACON
N. 4200 GUNNING RD.
RATHDRUM, ID 83858

RE: Permit No. 95-7379

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAR 17 1989

FROM D. Tutthill

DATE 1/15/85

TO 95-7379

SUBJECT

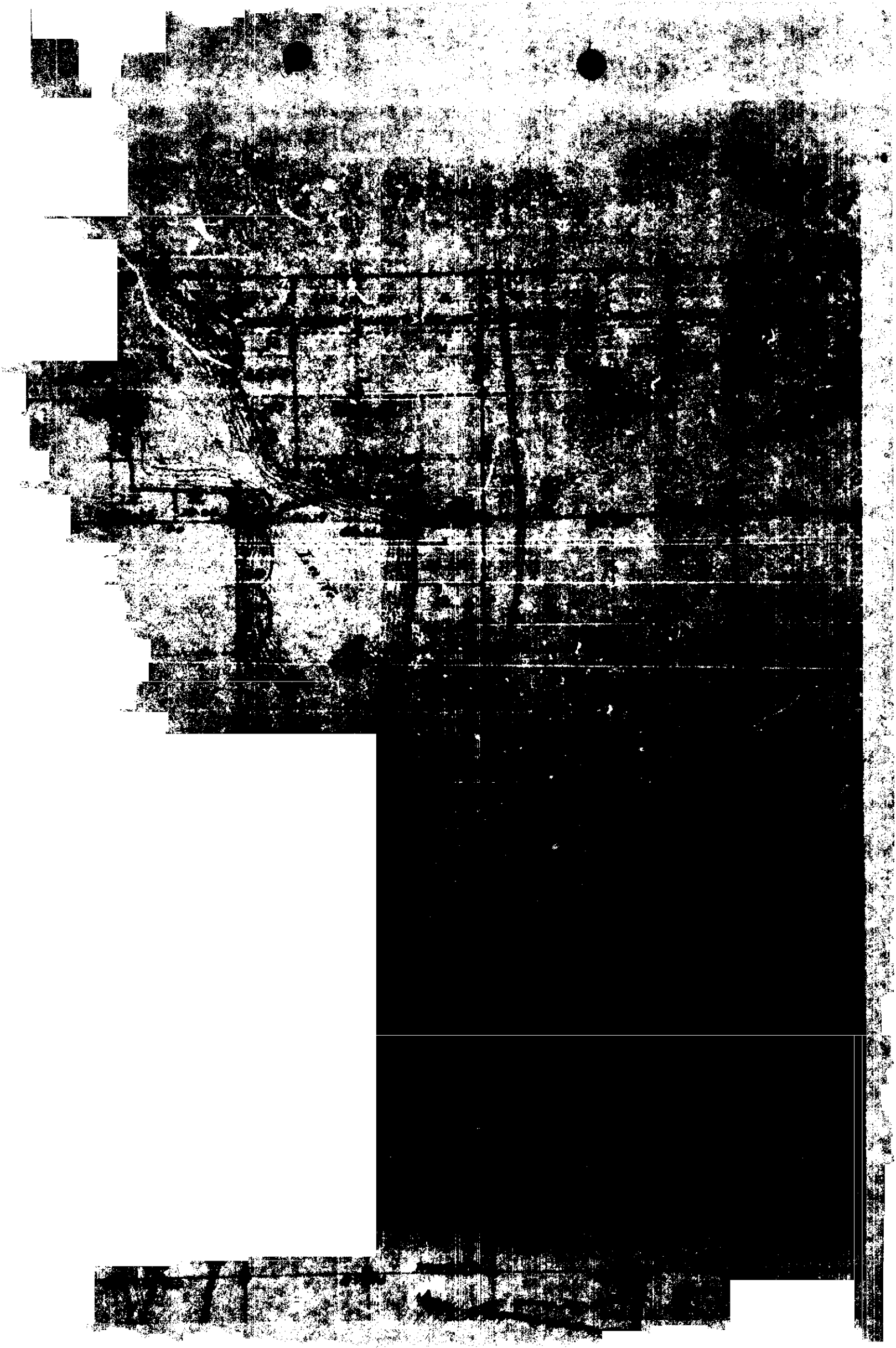
It appears that the P/D should be in
Govt Lot III instead of Govt Lot II. Plz check out
at the time of licensing. ✓
kw

MICROFILMED

MAR 17 1989

Do Not Film!!

DRT
SIGNATURE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 18 1986

Department of Water Resources

1. GENERAL INFORMATION

Permit No. 95-7379

1. Owner: Roger &/or Garnet J. Balon Phone No. 687-1474

Current Address: N. 4200 Gunning Rd., Rathdrum, ID. 83858

2. Accompanied by: SAME EXAM. DATE: 6/13/86

Address: SAME Phone No. _____

Relationship to Permit Holder: _____

3. Source: Twin Lakes tributary to _____

2. OVERLAP REVIEW

1. Other water rights with same place of use: NONE
95-7380 for Dom. use only

☐ Copies Attached

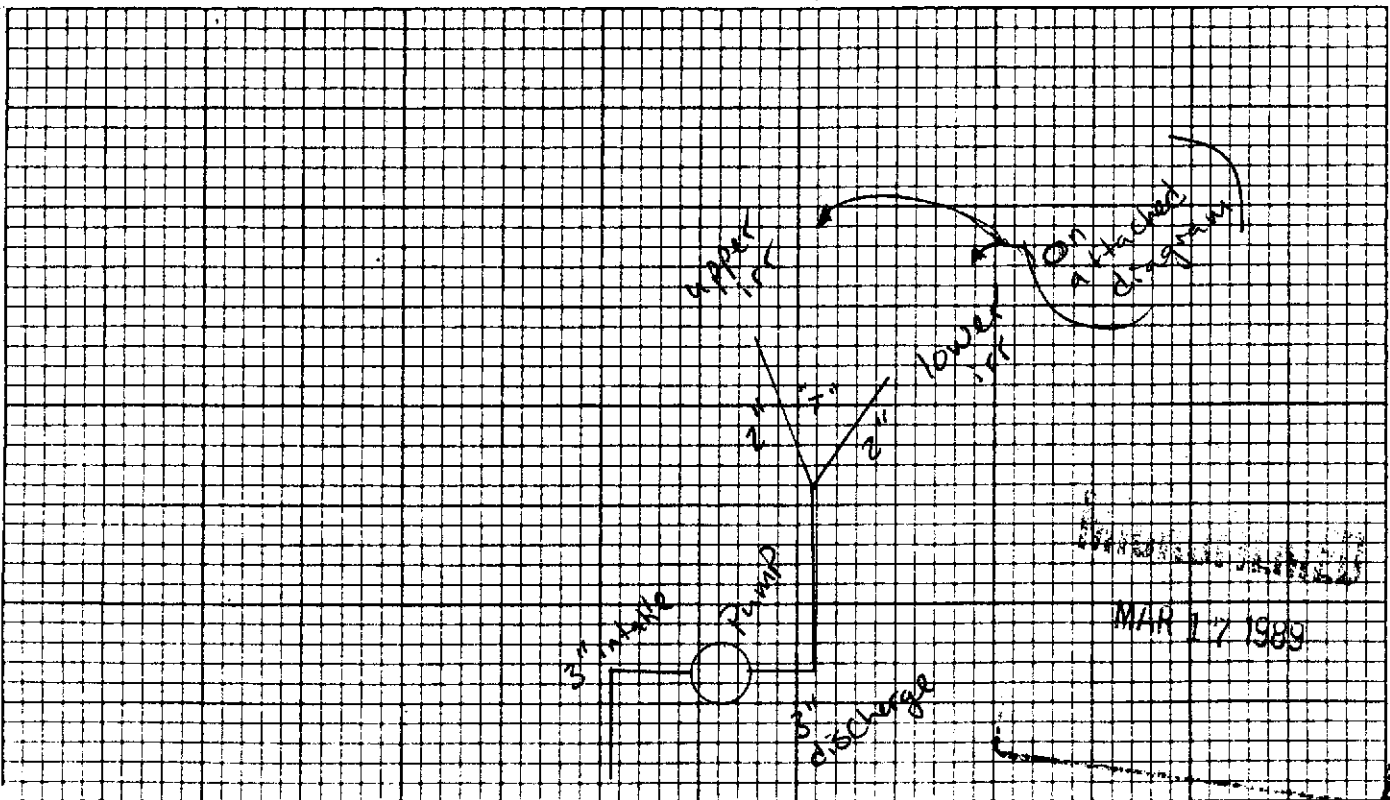
2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

3. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)

Elev to pump
h = static 4'

MAR 17 1989

From Lake to pump + 3" discharge to "T", 2" lines

Run from T₁ to upper and lower RT. area (shown on diagram)

(shown on diagram)

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No.
	G.F.	5	5K225X449	Cent G.F.	# 1514
				Rain Flow	3"

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]
$$= 1240$$

DECLASSIFIED

MAR 17 1963

Do not use this space.

☐ Additional Data Sheets Attached

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure gage						

$$7 @ 2\frac{1}{2} \text{ gpm} + \frac{1}{64} @ 40 \text{ psi} + \frac{1}{64} @ 32 \text{ psi} + \frac{5}{32} @ 34 \text{ psi} + \frac{1}{64} @ 34$$
$$+ \frac{3}{16} @ 48 \text{ psi} + \frac{3}{16} @ 42 \text{ psi} = 12.5 \text{ gpm} + 5.02 \text{ gpm} + 4.73 \text{ gpm} + 4.10 \text{ gpm}$$
$$+ 4.88 \text{ gpm} + 7.03 \text{ gpm} + 6.57 \text{ gpm} = \frac{56.4 \text{ gpm}}{448.8} = .126 \text{ cfs}$$
☐ Additional Computation Sheets Attached

thod: $Q = \frac{8.8 \text{ hp} \times}{2.23 \text{ ft} \times \text{in}} = .126 \text{ cfs}$ From measurements

Q = ~~06 CFS~~ via exam fee info.
 09 CFS via exam fee info.

; Flow rate: _____ cfs (4)

Panel Input HP: $(6) \times 1.34 = \underline{\hspace{2cm}}$ (7) Efficiency: $(5)/(7) \times 100 = \underline{\hspace{2cm}} \%$

$$= 109(245)1.9835 = 43.7$$

MAR 17 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Within Twin Lakes Adj., No water dist. established

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Period of Use

Rate of Diversion

Q (cfs)

V (ata)

Annual Volume

100%

March 15

Nov. 15

706 cfs

109 cfs

10.5 AF

Totals:

706 cfs

10.5 AF

2. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above
- ☐ None
- ☐ Other

J. AUTHENTICATION

Field Examiner's Name

Jennifer L. Hargraves

Signature

Certification Date

Field Report Preparation Date

CONSULTANT SEAL

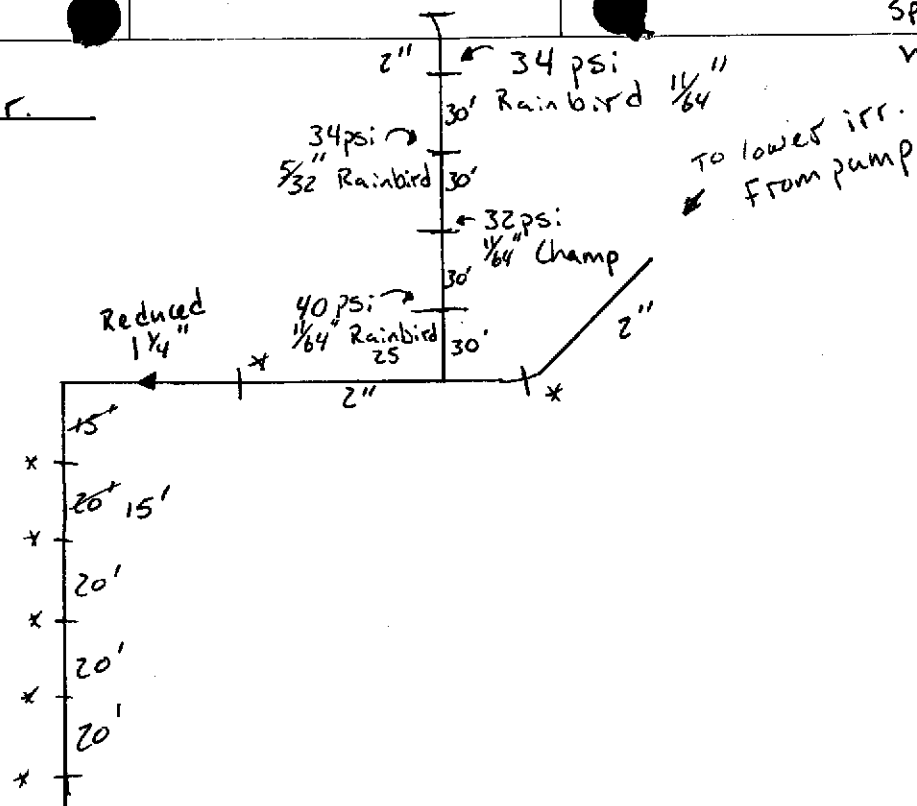
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED
MAR 17 1999

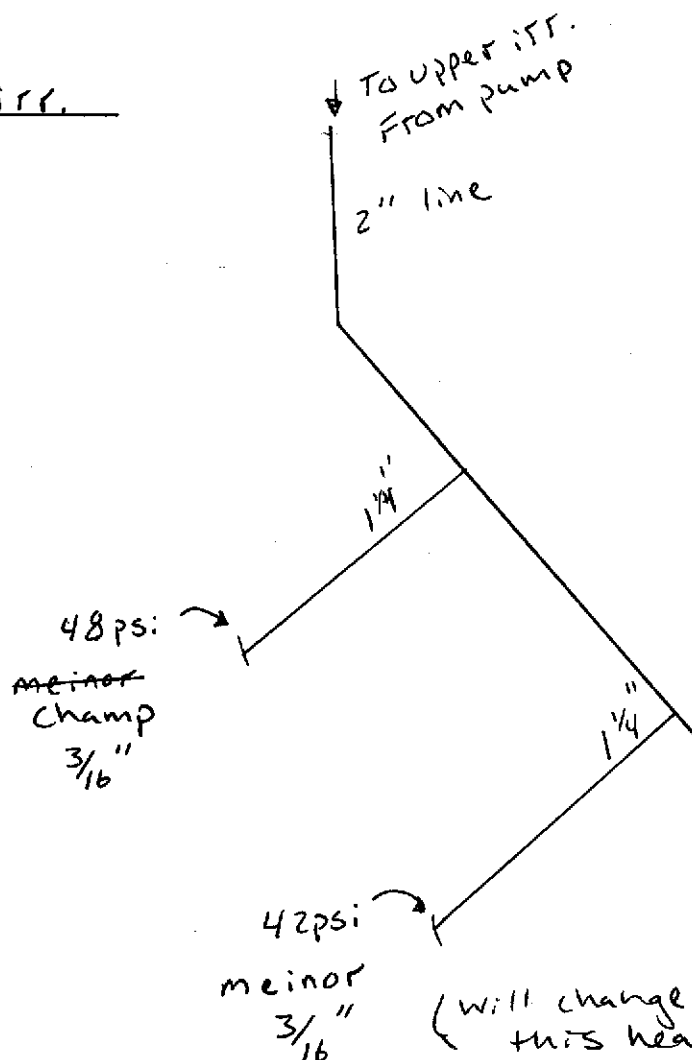
Pipelines & Sprinkler heads:

* movable
sprinkler connected
with hose

Lower irr.



Upper irr.



MICROFILMED

MAR 17 1989

7 8
18 17

(200)(335)

RIV
TOWER
STR

2 1/2

210°

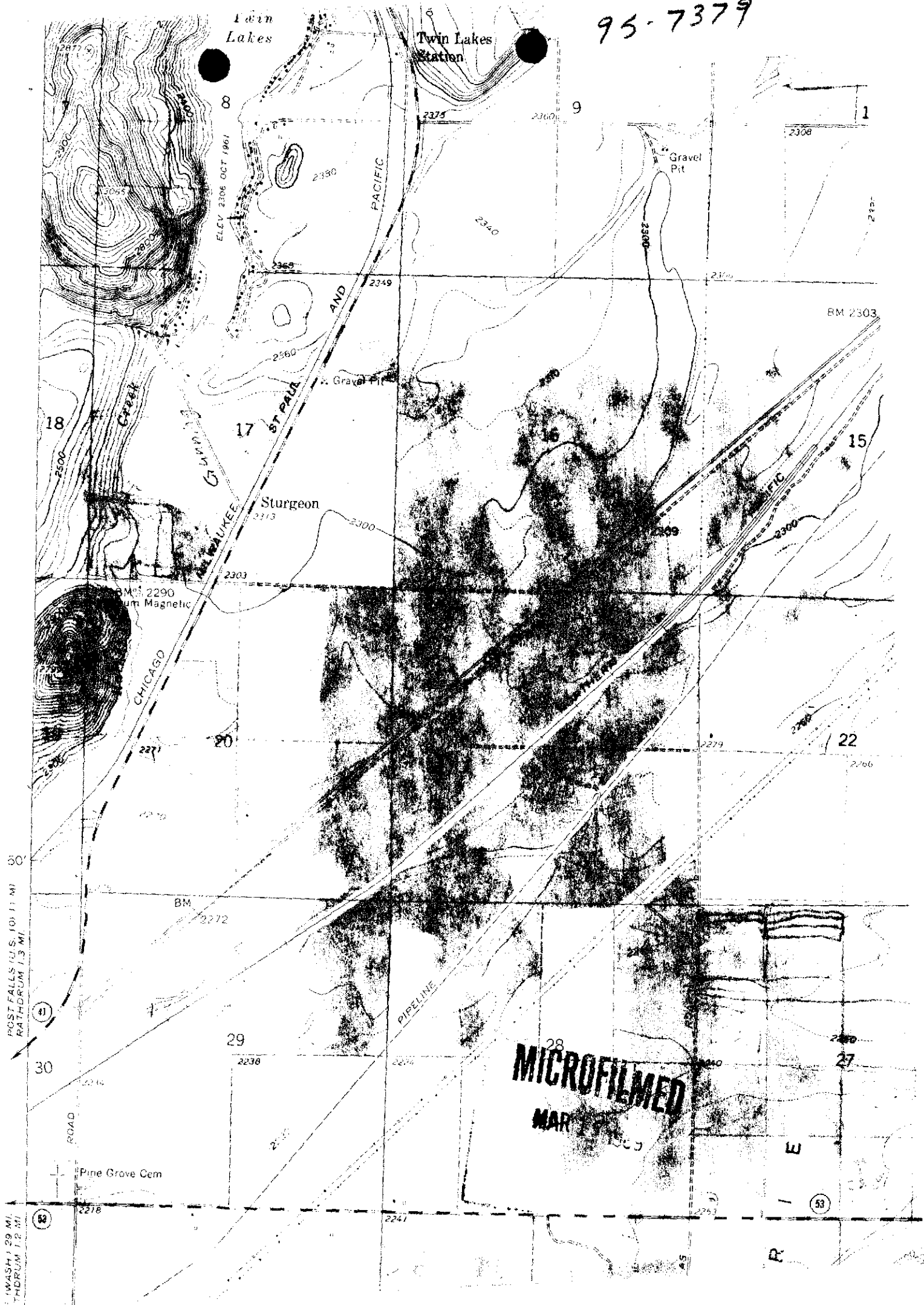
2 1/2

MICROFILMED

MAR 7 1989

TWP. 52N RGE. 4W SEC. 17 MAP # _____ MAP SCALE 660' = 1"
DATE OF EXAM _____ PERMIT # 95-7379

95-7379





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 11, 1986

Mr. Roger Bacon
N. 4200 Gunning Rd.
Rathdrum, Id. 83858

Re: 95-7379

Dear Mr. Bacon:

I would like to conduct the required field examination of your irrigation system during this irrigation season.

In order to accomplish this, please contact me at this office to schedule a date and time when you or your appointee can meet with me to demonstrate the system. Please contact me at least one week prior to the date you desire to demonstrate the system.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED

MAR 17 1989



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

September 3, 1985

Mr. Roger Bacon
N. 4200 Gunning Rd.
Rathdrum, Id. 83858

Re: 95-7379

Dear Mr. Bacon:

I would like to conduct the required examination of your irrigation system this year.

Please contact this office to schedule a time when you can demonstrate the system to me.

Sincerely,

TOM D. KING
Senior Water Resource Agent

IDK/pms

MICROFILMED

MAR 17 1989

CONTACT WITH PERMIT HOLDER

PERMIT # 95-7379

INITIALS

DATE

6/13/84Mr. Bacon came into the office and stated that
he will not irrigate this year. To call meSK9/3/85687-1475 10150 AM NO ANS.k9/24/85" " 7:46 AM " "k3/7/85APPT LETTERk

MICROFILMED

MAR 17 1989

6/86.

DRAFT

Staff Analysis Sheet
for
Beneficial Use Field Report

95-7379
Water Rt. No.

Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☐ Copies of any Amendments
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad

RECEIVED

JUL 18 1986

Department of Water Resources

Check of P/D index J.A. (Initials, date)

Overlap? ☐ yes ☒ no ☐ If yes, copy attached?

Check of P/U index J.A. (Initials, date)

Overlap? ☐ yes ☒ no ☐ If yes, copy attached?

Aerial Photo

Required? ☐ yes ☐ no ☐ If yes, copy attached?

Scheduling Letter sent? _____ (Initials, date)

☐ Appointment made and telephone conversation memo attached?

After Conducting the Exam, the File Contains:

- Need → ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

Review and Processing

Exam Completed Jennifer Aragon (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent W 7/10/86 (Initial and date)

Exam Reviewed by Manager of Regional Office RYA 7/11/86 (Initial and date)

Exam Date Entered in Computer on 7/11/86 (Initial and date)

Exam sent to State Office ph 7/15/86 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original Refiled in White File _____ (Initial and date)

RECORDED

MAR 17 1989

4/86

RECEIVED
JUN 12 1986Department of Water Resources
Northern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only

Fee Received 50.00Date 6/12/86Receipt # 32166Receipt by pmSent to S.O. 6/24/86

RECEIVED

JUN 26 1986

1. Permit No. 95-7379

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

Department of Water Resources

- ☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Roger & Gernet J. Bacon3. Post Office Address: N. 4200 Gunning Rd. Rathdrum, Id 83858Telephone No. 687-14754. Source of Water: Twin Lakes

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 3 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 0.09 cfs 0.20 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

10-3-73

8. Person to contact to accompany the department representative during the field examination:

Roger Bacon

(Name)

N. 4200 Gunning Rd

(Address)

Rathdrum687-1475

(Telephone Number)

- ☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

MAR 17 1989

Date

6/12/86

Signature of Permit Holder (and title, if appropriate)

Roger A. Bacon



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

95-7379
BACON, ROGER
N. 4200 GUNNING RD.
RATHDRUM, ID 83858

Mailing address:
Storehouse
Boise, Idaho 83720

138432

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and have the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

MAY 17 1986

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MAR 17 1985

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

APRIL 24, 1984

ROGER BACON
N. 4200 GUNNING RD.
RATHDRUM ID 83858

RE: Permit No. 95-7379

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

Enclosure

MICROFILMED

MAR 17 1989

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 95-7379

DATE: 4-16-1984

Date proof received

_____ Apr. 2

Proof due

- _____ Apr. 1

Number of day proof late

_____ 1

Priority date

+ _____ Oct. 3, 1973

New priority date

_____ Oct 4, 1973

Remarks:

RECORDED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 95-7379

Name(s) of Permit Holder: Roger &/or Garnet J. Bacon

Post Office Address: N. 4200 Gunning Rd.

Rathdrum, Id. 83858 Tel. No. 687-1475

Source of Water: Twin Lakes

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 3 horses, 2 beef (number and type of stock)
☒ Irrigation 7 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

3-30-84 Date Roger A. Bacon Signature of Permit Holder

Roger A. Bacon

W. 4200 Gunning Rd

Rathdrum, Id. 83858



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

Roger Bacon
Rt. 4, Box 655
Rathdrum, ID 83858

138440

PROOF DUE NOTICE

JANUARY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7379 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
JAN 31 1984

April 9, 1979

Roger A. Bacon
Rt. 4, Box 655
Rathdrum, Idaho 83858

Re: Permit No. 95-7379

Dear Mr. Bacon:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to

April 1, 1984.

Sincerely,

Jan Grover
Water Rights Supervisor





State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

C. STEPHEN ALLRED
Director

CERTIFIED MAIL

January 30, 1979

100651

Re: Permit No. 95-7379

Roger Bacon
Route 2, Box 600
Rathdrum, ID 83858

Dear Mr. Bacon:

One of the conditions of approval of your water Permit No. 95-7379 (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 April 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

MICROFILMED

April 24, 1974

Re: Permit No. 95-7379

Mr. Roger Bacon
Route 2, Box 600
Rathdrum, Idaho 83858

Dear Mr. Bacon:

Enclosed herewith is a copy of your approved Application for Permit No. 95-7379 along with a copy of the Memorandum Decision.

We direct your attention to the conditions of approval as listed on the third page of the Memorandum Decision. You will also note that proof of beneficial use of water is due on or before April 1, 1979.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

bc: Northern District Office

95 7379

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>FL</u>	<u>10/2/73</u>	Application No. <u>95-7379</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>FL</u>	<u>10/2/73</u>	In form to receipt
	<u> </u>	<u> </u>	Send Copies to: <u> </u> Idaho State Health Department <u> </u> Idaho Fish and Game Department <u> </u> Bureau of Land Management
(4)	<u> </u>	<u> </u>	<u> </u> Request Special Use Permit from U.S.F.S. <u> </u> Request Easement from B.L.M. <u> </u> Request Information from Applicant
(5)	<u>FL</u>	<u>10/2/73</u>	In form for advertising
(6)	<u> </u>	<u> </u>	Located within Water District No. <u> </u>
(7)	<u> </u>	<u> </u>	Critical groundwater area: yes <u> </u> no <u> </u>
(8)	<u> </u>	<u> </u>	Groundwater levels: <u> </u> Decline (comment) <u> </u> <u> </u> Stable (comment) <u> </u> <u> </u> Increasing (comment) <u> </u>
(9)	<u> </u>	<u> </u>	Comments: <u> </u> <u> </u>
(10)	<u>CP</u>	<u>10-29-73</u>	Affidavit of Publication received (date) <u>OCTOBER 25, 1973</u>
(11)	<u>CP</u>	<u>10-5-73</u>	Final date for protests <u>OCTOBER 29, 1973</u> Protests received: yes <u>✓</u> no <u> </u>
(12)	<u> </u>	<u> </u>	Date and Place of hearing <u> </u> Decision reached at hearing <u> </u> <u> </u>
(13)	<u> </u>	<u> </u>	All requested information received from agencies or applicant yes <u> </u> no <u> </u>
(14)	<u> </u>	<u> </u>	Action recommended: <u> </u> Approve Priority <u> </u> <u> </u> Deny Reason for Reduction <u> </u> <u> </u> Measuring device required <u> </u> See attached sheet for additional conditions of approval <u> </u> No additional conditions for approval
(15)	District <u> </u>	By <u> </u>	Date <u> </u>

Application No. 95-7379 [

COPY OF NOTICE OF HEARING
ALSO SENT TO THE BUREAU
OF RECLAMATION IN BOISE.

CP

95 7379

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show address
where delivered

☐

Deliver **ONLY**
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

745746

①

Upper Twin Lakes Water
Co.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

②

Lori Roth

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

3-12-72

③

25400

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

745748

①



INSURED NO.

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY



DATE DELIVERED

MAR 11 1974

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

95 7329

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

745752

①

Mrs. Roger Bacon

INSURED NO.

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

③

3-9-74

745752

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moistened gummed ends and attach to back of article.

RETURN
TO

DEPT. OF WATER ADMIN.
401 FRONT AVE., ROOM 209
COEUR D'ALENE, ID 83814

85 7329

NAME AND ADDRESS OF SENDER
Water Administration - Northern District

Indicate type of mail
☐ INSURED ☐ C. O. D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill. **NOTICES OF HEARINGS**
POSTMARK AND DATE OF RECEIPT March 7, 1974

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEES	DUE SENDER (C. O. D. or MENT)	R. R. FEE	S. D. FEE	S. H. FEE	RESTRICTED DELIVERY FEE
1	745746 Upper Twin Lakes Water Co., Rt. 2, Rathdrum, ID 83858	.10	.30		.15			95-4139
2	-----							95-7302
3	-----							95-7379
4	745747 Clepton P. Holm, Rt. 2, Box 604, Lower Twin Lakes, ID	"	"		"			95-7302
5	745748 Bureau of Reclamation, P.O. Box 043, Boise, ID 83702	.20	"		"			95-4139
6	-----							95-7302
7	-----							95-7379
8	-----							95-7418
9	745749 Thomas A. Mitchell, Attorney for East Greenacres Irr.							-----
10	----- Co., 316 Elder Bldg., Coeur d'Alene, ID 83814	.10	"		"			95-7302
11	745750 Lake Forest Homes, 3107 E. 11 Ave., Spokane, WA 99202	"	"		"			"
12	745751 Twin Lakes Improvement Assoc., W. 3408 Hartson, Spokane	"	"		"			95-7379
13	745752 Roger Bacon, Rt. 2, Box 600, Rathdrum, Idaho 83858	"	"		"			-----
14	745753 Sidney N. Moore, Chairman, East Greenacres Irr. Co.,							95-7418
15	----- Rt. 1, Post Falls, Idaho 83854	"	"		"			"
16	745754 Rudolph Stammerjohan, Rt. 2, Rathdrum, Idaho 83858	"	"		"			95-4139
17	745755 Curran D. Dempsey, 7924 E. Heroy, Spokane, WA 99206	"	"		"			"
18	745756 Charles W. Power, Rt. 2, Box 157, Rathdrum, ID 83858	"	"		"			
19	<i>Just by Certified Mail 3-7-74.</i>							
20	<i>Order Postmaster</i>							
TOTAL NUMBER OF ARTICLES LISTED BY SENDER Eleven (11)		TOTAL NUMBER OF FEES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)				

1. Mark "P" if "Perishable," "F" if "Fragile," "E" if "Eggs," "BH" if "Eggs for Hatching," "B" if "Batter," "PL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up." Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.

U. S. GOVERNMENT PRINTING OFFICE

C88-16-7248-1

05 1289

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval
of Application for Permit No. 95-7379 in
the name of ROGER BACON

NOTICE OF CONFERENCE
AND/OR HEARING

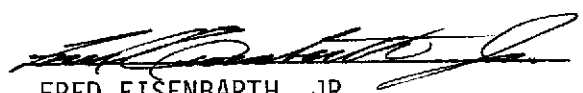
On October 3, 1973, Roger Bacon filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On October 29, 1973, the Department received a protest against approval of said application from the Upper Twin Lakes Water Company.

The Department has set the matter of protest for conference and/or hearing for Thursday, March 28, 1974, at 9:00 a.m., in the Community Room of the First Federal Savings and Loan Building, 401 Front Avenue, Coeur d'Alene, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and the adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 6th day of March, 1974.


FRED EISENBARTH, JR.
Northern District Manager

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

March 6, 1974

First Federal Savings and
Loan Association
401 Front Avenue
Coeur d'Alene, ID 83814

Gentlemen:

This is to confirm the use of the Community Room for conference and/or hearing to be held by this office on Thursday, March 28, 1974.

Thank you for your cooperation in this matter.

Very truly yours,

Corda Patterson
Secretary
Northern District

95 7379



IN REPLY
REFER TO: 424
870.

United States Department of the Interior
BUREAU OF RECLAMATION

FEDERAL BUILDING & U.S. COURTHOUSE
BOX 048-550 WEST FORT STREET
BOISE, IDAHO 83724

FEB 15 1974

RECEIVED

FEB 22 1974

Mr. R. Keith Higginson, Director
Department of Water Administration
State of Idaho
Statehouse, Annex 2
Boise, Idaho 83707

Department of Water Administration
Northern District, Inc.

Dear Mr. Higginson:

Recently members of my staff met with you and members of your staff concerning water right applications at Twin Lakes. Two applications now pending are application for water permit No. 95-7302 by Upper Twin Lakes Water Company and application No. 95-7418 to Rudolph and Esther M. Stammerjohan. We understand that others also may be pending in your office.

As you know, the East Greenacres Irrigation District currently holds the water right in Twin Lakes. This supply is insufficient for a full water supply and has been the subject of recent litigation. The Bureau of Reclamation is currently in process of constructing the East Greenacres Unit, Rathdrum Prairie Project, which will replace the East Greenacres Irrigation District Twin Lakes water source with water from deep wells. Construction is scheduled for completion in 1976.

The project as authorized by Congress requires the waters currently diverted for irrigation remaining in the lake and thereby being available for the benefit of recreation, fish and wildlife enhancement. This arrangement was recognized in repayment contract between the East Greenacres District and the United States, dated June 1, 1972. Article 25 of this contract contains the following provision relative to transfer of Twin Lakes water rights to the United States:

"Transfer of Water Rights, Dam, Appurtenant Facilities and Rights of Way for Use in Maintenance of Level of Lakes

25. The Contractor agrees that after completion of the project works under this contract and project water becomes fully available therefrom and the United States having perfected its rights to said



project waters, it will, on request of the United States, transfer by appropriate documents its existing water rights in Twin Lakes, with the transfer document concurred in by the State of Idaho, and its dam, outlet works, damsite, and all other facilities appurtenant thereto, and rights of way therefor to the United States or some other entity designated by the United States for use in maintaining the level of those lakes as near constant as possible for recreation and fish and wildlife enhancement."

We are not sure how much of the water right now held by the East Greenacres Irrigation District will be required to maintain the optimum level of Twin Lakes for the purposes of recreation and fish and wildlife enhancement. We are now commencing a study to determine that quantity and also define any surplus to the water needed to maintain the lake level. Consequently, we suggest that since the East Greenacres District will be using its water right for one more season before transferring it to us and since we have not completed our study to determine the portion of that water right for recreation and fish and wildlife purposes, you deny all applications until we have completed our study and have forwarded the information to you.

You also suggested that the Bureau investigate a municipal and industrial-type water project for the Twin Lakes community. We presently are not authorized to do so under the Rathdrum Prairie Project. We also have no study authorization or funds at this time for that purpose. However, if the people around Twin Lakes want such a study, we would certainly oblige and attempt to get the necessary authorization and funds.

Sincerely yours,

Norman H. Moon

Acting Regional Director

95 7379

December 13, 1973

County Clerk
Kootenai County Courthouse
Coeur d'Alene, ID 83814

Dear Sir:

This is to confirm the use of the Community Room for conference and/or hearing to be held by this office on Tuesday, January 8, 1974, at 10:00 a.m. and 2:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

CANCELLED
12-14-73 CP

October 29, 1973

Re: Application for Permit No. 95-7379

Roger Bacon
Route #2, Box 600
Rathdrum, ID 83858

Dear Mr. Bacon:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 95-7379. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

95 7379

Page 2

Re: 95-7379

Roger Bacon

October 29, 1973

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

Enclosure

cc: Boise

95 7379

October 29, 1973

Re: Application for Permit No. 95-7379 - Roger Bacon

Board of Directors
UPPER TWIN LAKES WATER COMPANY
Route #2
Rathdrum, ID 83858

Gentlemen:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

Page 2

Re: 95-7379

Upper Twin Lakes Water Company

October 29, 1973

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

bc: Boise

95 7379

October 18, 1973

RECEIVED

Idaho Dept. of Water Administration
401 Front Street
Coeur d' Alene, Idaho 83814

OCT 18 1973

Attention: R. Keith Higginson
Director

Idaho Dept. of Water Administration
Northwest Office

Re: Application for a Water Right
No. 95-7379
Roger Bacon
Route 2, Box 600
Rathdrum, Idaho 83858

Dear Mr. Higginson:

We protest the approval of the subject application for a water right on the following grounds:

1. That the water supply of the Twin Lakes is not sufficient for the purposes for which it is sought as evidenced by the following:
 - a.) The low and high water levels of the lakes have been set by an order of the Supreme Court of the State of Idaho.
 - b.) That said low water level is reached in mid-July to early August of each year as borne out by records in the past two years and at an even earlier date in previous years.
 - c.) That the applicants diversion of waters from this body of water would contribute to a lowering of the lakes at an earlier date than would normally be expected hence infringing on prior rights to take water through the season.
 - d. That the applicants period of use as applied for, would run past the time of low water attainment and tend to lower the lake level below the minimum as set by the courts.
2. That the Upper Twin Lakes Water Company was denied their application to divert water from Upper Twin Lake for the purpose of domestic and fire protection usage in the summer of 1973. Said denial pending a hearing on their application. This hearing has not yet been held. Therefore no other application to divert water from Twin Lakes should be approved if filed after that date on which the Upper Twin Lakes Water Company made application. We would like to go on record as protesting any and all applications for water rights on Twin Lakes, its sources and outlet that are in excess of .04 cfs and initiated subsequent to that date on which we first applied for rights. Such protest to remain in effect until our application has been acted upon.

95 7379

3. In August of 1973, the Waters of Twin Lakes were posted by the Idaho State Health Department as being polluted and closed to all swimming and recreational activity. The Department stated that the high pollution in the lakes was due in part to the low water level of the lake. We may well conclude from this that any further diversion of waters from these sources can only serve to aggravate this condition.
4. From the facts set forth in items 1. and 3. above, it would seem quite evident that the supply from this source of water is already over-taxed. Until the East Greenacres Water District quits diverting water from these lakes in 1974 further diversions should not be countenanced. After 1974 it is possible that more applications for water rights to these waters could be considered. However, the total situation must be closely assessed and administered to prevent the present near chaotic conditions.

Respectively yours,
UPPER TWIN LAKES WATER COMPANY
BOARD OF DIRECTORS

BOARD OF DIRECTORS
UPPER TWIN LAKES WATER COMPANY
Route 2, Rathdrum, Idaho

Gus Roth

GUS ROTH - President
Rt. 2, Box 128
Rathdrum, Idaho

Lawton M Benham

L. M. BENHAM - Vice-President
Rt. 2, Box 132
Rathdrum, Idaho

Stuart J. McWilliams

STUART J. MCWILLIAMS - Sec. Treas.
S. 4219 Aljumont St.
Spokane, Washington

Richard Shove

RICHARD SHOVE - Manager
Rt. 2, Box 116
Rathdrum, Idaho

W. C. Tomlin

W. C. TOMLIN - Director
Rt. 2, Box 135-B
Rathdrum, Idaho

October 28, 1973

RECEIVED

Idaho Dept. of Water Administration
401 Front Street
Coeur d' Alene, Idaho 83814

OCT 29 1973

Attention: R.Keith Higginson
Director

Department of Water Administration
National District Office

Re: Application for a Water Right
No. 95-7379
Roger Bacon
Route 2, Box 600
Rathdrum, Idaho 83858

Dear Mr. Higginson:

We protest the approval of the subject application for a water right on the following grounds:

1. That the water supply of the Twin Lake is not sufficient for the purposes for which it is sought as evidenced by the following:
 - a.) The low and high water levels of the lakes have been set by an order of the Supreme Court of the State of Idaho.
 - b.) That said low water level is reached in mid-July to early August of each year as borne out by records in the past two years and at an even earlier date in previous years.
 - c.) That the applicants diversion of waters from this body of water would contribute to a lowering of the lakes at an earlier date than would normally be expected hence infringing on prior rights to take water through the season.
 - d.) That the applicants period of use as applied for, would run past the time of low water attainment and tend to lower the lake level below the minimum as set by the courts.
2. That the Upper Twin Lakes Water Company was denied their application to divert water from Upper Twin Lake for the purpose of domestic and fire protection usage in the summer of 1973. Said denial pending a hearing on their application. This hearing has not yet been held. There for no other application to divert water from Twin Lakes should be approved if filed after that date on which the Upper Twin Lakes Water Company made application. We would like to go on record as protesting any and all applications for water rights on Twin Lakes, its sources and outlet that are in excess of .04 cfs and initiated subsequent to that date on which we first applied for rights. Such protest to remain in effect until our application has been acted upon.

95 7379

3. In August of 1973, the Waters of Twin Lakes were posted by the Idaho State Health Department as being polluted and closed to all swimming and recreational activity. The Department stated that the high pollution in the lakes was due in part to the low water level of the lake. We may well conclude from this that any further diversion of waters from these sources can only serve to aggravate this condition.
4. From the facts set forth in items 1. and 3. above, it would seem quite evident that the supply from this source of water is already over-taxed. Until the East Greenacres Water District quits diverting water from these lakes in 1974 further diversions should not be countenanced. After 1974 it is possible that more applications for water rights to these waters could be considered. However, the total situation must be closely assessed and administered to prevent the present near chaotic conditions.

Respectively yours,
UPPER TWIN LAKES WATER COMPANY
BOARD OF DIRECTORS

95 7379

OK 78 10/29/73

RECEIVED

BOARD OF DIRECTORS
UPPER TWIN LAKES WATER COMPANY
Route 2, Rathdrum, Idaho

OCT 29 1973

Department of Water Administration
Northern District Office

Gus Roth

GUS ROTH - President
Rt. 2, Box 128
Rathdrum, Idaho

Linton M Benham

L. M. BENHAM - Vice-President
Rt. 2, Box 132
Rathdrum, Idaho

Stuart J McWilliams

STUART J. MCWILLIAMS - Sec. Treas.
S. 4219 Alhambra St.
Spokane, Washington

Richard Shove

RICHARD SHOVE - Manager
Rt. 2, Box 116
Rathdrum, Idaho

W. C. Tolman

W. C. TOLMAN - Director
Rt. 2, Box 135-B
Rathdrum, Idaho

95 7379

October 5, 1973

Re: Application No.	95-7378	95-7381
"	" 95-7379	96-7228
"	" 95-7380	95-4139

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 10-29-73 by CP

FE:CP

Enc: Legal Notices (6)

95 7379

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Roger Bacon,
Route #2, Box 600, Rathdrum, Idaho
has on October 3, 1973 submitted Application No. 95-7379
for a permit to appropriate 0.2 cubic feet per second ~~acre feet per annum~~
of water from Lower Twin Lakes
by means of pump, motor, and sprinklers
within the ~~xxx~~ Gov't. Lot 2, Sec. 17, T. 52N, R. 4W, B.M., Kootenai County

to be used from March 15 to Nov. 15
for the irrigation of ten acres

within the ELNWA, Sec. 17, 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 October 29, 1973.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Oct. 11 and Oct. 18, 1973

95 7379

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Roger Bacon, Route No. 2, Box 600, Rathdrum, Idaho has on October 3, 1973 submitted Application No. 95-7379 for a permit to appropriate 0.2 cubic feet per second of water from Lower Twin Lakes by means of pump, motor, and sprinklers within Gov't. Lot 2, Sec. 17, T. 52N, R. 4W, B.M., Kootenai County to be used from March 15 to Nov. 15 for the irrigation of ten acres within the E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17, 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 October 29, 1973.

R. KEITH HIGGINSON
Director

Oct. 11, 18, 1973

O.K.
10-16-73
d

95 7379

October 5, 1973

Re: Application for Permit No. 95-7379
" " " " 95-7380

Roger Bacon
Route #2, Box 600
Rathdrum, ID 83858

Dear Mr. Bacon:

Attached is your receipt No. 11987 in the amount of \$20 for the filing fees on the above referenced applications which were received in this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

Enclosure

95 7379