

No Color
Documents
In File

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 95-7278 Priority April 10, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that ALFRED S. LINN
of Coeur d'Alene, Idaho, has complied with the terms and conditions of Permit
No. 95-7278 issued pursuant to Application for Permit dated April 10, 1973,
and has submitted proof to the Department of Water Resources on May 4, 1978,
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 an unnamed spring,
tributary to Coeur d'Alene Lake, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and <u>2.4</u> 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
2.4 acre feet per year, said waters to be diverted within the Government Lot 3, (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
Sec. 11, Twp. 48N, 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 $\frac{1}{4}$	
<u>48N</u>	<u>4W</u>	<u>11</u>																<u>L. 3</u> <u>X</u>	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17 day of

April, 19 79.

Director

Identification No. 95-7278

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 Alfred S. Linn PH: 664-9683
post office address Route #3, Box 363, Coeur d'Alene, ID 83814
2. Source of water supply Unnamed Spring which is a tributary of Coeur d'Alene Lake
3. a. Location of point of diversion is Gov't. Lot 3 (SWSE)
~~xxxx~~ of Section 11 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 _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Spring box and pipeline

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ 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 \$ 1,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
Gov't. Lot 3
(1) Give the place of use of water: xxxx of Section 11 Township 48N
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 _____

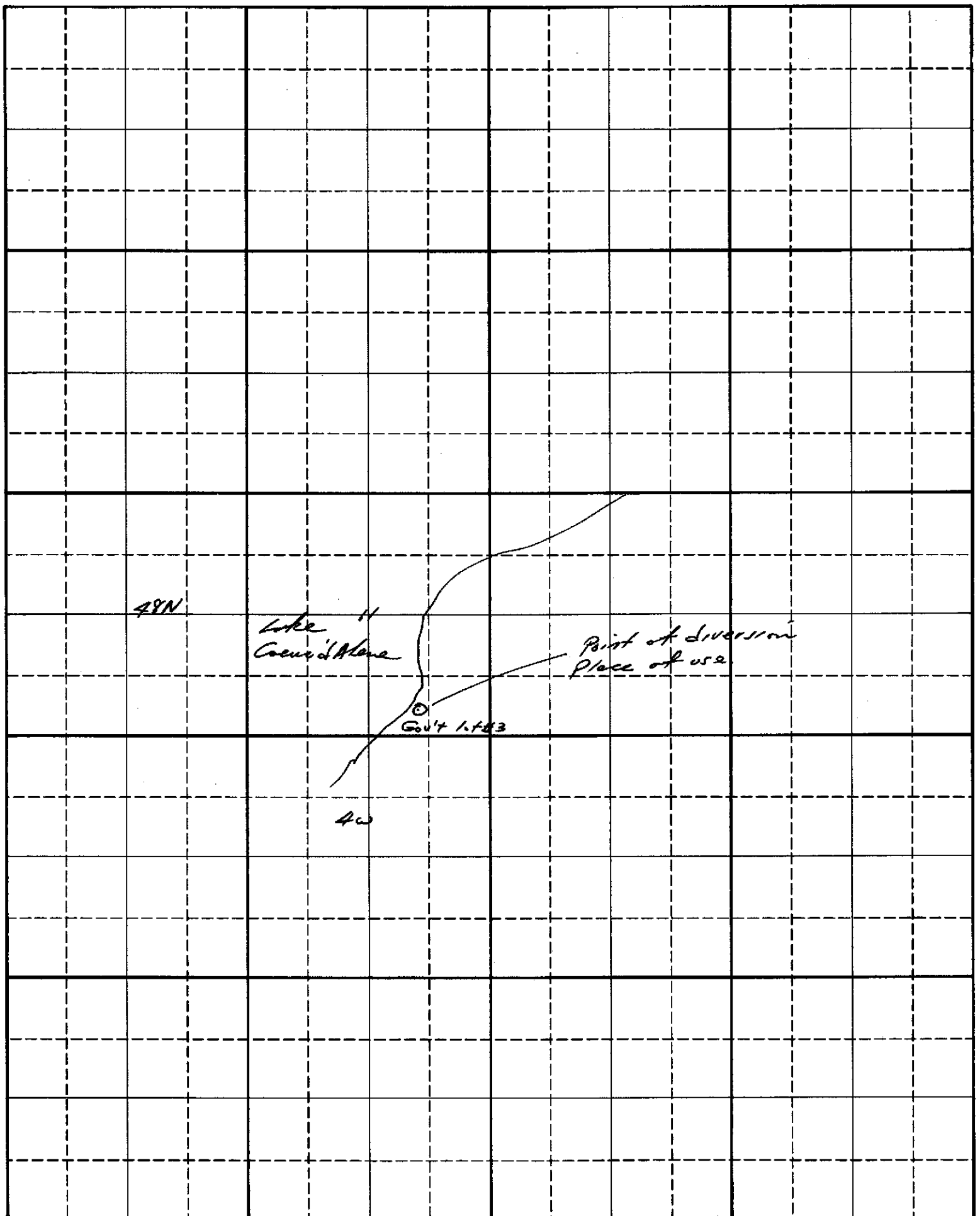
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water two.
(5) If water is to be used for other purposes describe: _____

95-7278

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

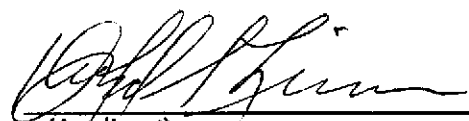
10. Remarks

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.


(Applicant)

95 7278

Proposed Priority 4-10-1973

Received by JS Date 4/10/73 Time 11:00 a.m.
Preliminary check by JS Fee \$ 10.00
Received by JS Date 4/10/73 # 10616
Publication prepared by CR Date 4-13-73
Published in Coeur d'Alene Press
Publication dates 4-19 & 4-26-73
Publication approved JS Date 5-7-73
Priority 4-10-73 Reason 4-10-73
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JS

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. 95-7278, 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 May 1, 19 78.

c. Other: _____

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

Witness my hand this 16th day of May 1973.

Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>SL</u>	<u>4/10/73</u>	Application No. <u>45-7278</u> Name <u>Alfred S. Linn</u>
(2)	<u>SL</u>	<u>4/10/73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			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.
(5)	<u>SL</u>	<u>4/10/73</u>	In form for advertising <u>O.K.</u>
(6)	<u>CL</u>	<u>5-7-73</u>	Affidavit of Publication received <u>April 30, 1973</u>
(7)	<u>CL</u>	<u>4-13-73</u>	Final date for protests <u>May 7, 1973</u> Protests received: yes <u>no</u> <u>✓</u>
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)			Critical groundwater area: yes _____ no _____
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	<u>SL</u>	<u>5/2/73</u>	Action recommended: ☒ Approve Priority <u>4/10/73</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval <u>SL</u> <u>5/2/73</u> No conditions for approval
(14)	<u>SL</u>	<u>5/2/73</u>	District <u>Natchez</u> By <u>Paul E. Smith</u> Date <u>5/2/73</u> Title <u>Tech #</u>

95 7278

Department of Water Administration

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

RECEIVED
(WEEKLY)

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

APR 30 1973

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

of which a printed copy is annexed hereto, was published in all the regular Wednesday

weekly issues of said newspaper for two consecutive weeks, commencing

on the 19 day of April, 1973, and ending on the

26 day of April, 1973

Subscribed and sworn to, before me, this 26 day of April

1973

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Alfred S. Linn, Route No. 3, Box 363, Coeur d'Alene, Idaho has on April 10, 1973 submitted Application No. 95-7278 for a permit to appropriate 0.04 cubic feet per second of water from an Unnamed Spring, tributary of Coeur d'Alene Lake by means of spring box and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Gov't. Lot 3), Sec. 11, T. 48N, R. 4W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within Gov't. Lot 3, Sec. 11, 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 May 7, 1973.

R. KEITH HIGGINSON

Director

April 19, 26, 1973

95 7278



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

April 18, 1979

Re: Permit No. 95-7278

Alfred S. Linn
Rt. 3, Box 363
Coeur d'Alene, Idaho 83814

Dear Mr. Linn:

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

Sincerely,

J. Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

FIELD REPORT

1. Name of permit holder Alfred S. Linn

Post office address Rt. 3, Box 363, CDA, ID 83804 Phone 664-9683

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☐ unn. Spring
(name spring, stream, etc.)
Tributary to CDA LAKE

3. Water will be used for the following purposes:

Amount 0.02 c.f.s. for Dom(2)
 AF/Annum (nature of use)

Period of Use: from 7/01 to 12/13
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.07 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 48N N/S, Range 4W E/W, B.M., Section 11, Subdivision Sw $\frac{1}{4}$ Se $\frac{1}{4}$ Kootenai County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____1/4_____1/4, _____
County

Other Points of Diversions: _____

Description of diverting works: Spring box & pipeline

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

[illegible]

DATE OF EXAM 8/29/78

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= 2.4 AF/Ann. from Jan 1 to Dec 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

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 made Method of measurement _____

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

Total V recommended 2.4 AF/pm

Recommended Amendments:

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

MEASUREMENT CALCULATION:

2 hours 0.04 cfs @ 2.4 AF/pm

SYSTEM DESCRIPTION:

Developed spring with pipe line to place of use

REMARKS:

No contact

Examiner's Signature J King Date 8/31/78

Checked by Bob Hayner Date 9-5-78

Approved by _____ Date _____

May 9, 1978

Mr. Alfred S. Linn
Route #3, Box 363
Coeur d'Alene, ID 83814

RE: 95-7278

Dear Mr. Linn:

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, Idaho.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

Identification No. _____

Permit No. 95-7278

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

MAY 4 1978

see notary of
Department of Water Resources

1. a) Name of Permit Holder Alfred S. Kinn
b) Post Office Address Rt 3, Box 363, Coeur d'Alene, Id 83814
2. Permit Number 95-7278
3. Date of Priority that you are prepared to establish 4-10-73
4. a) Source from which water was appropriated Unnamed Spring
b) Location of the point of diversion: GL-3 1/4 (SWSE) 1/4, Section 11
Township 48 N, 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 and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.04 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 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:

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) Spring box & pipeline

b) Describe the type and size of measuring device which you have installed at your point of diversion: None

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

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic for one house hold.

Exam Fract 5/10/78

RECEIVED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	

Total number of acres irrigated _____

10. Remarks: _____

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

5-1-78
(Date)

x [Signature]
(Signature)

State of Idaho)
County of Butte) ss.

On this 1 day of May, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Butte, Idaho

My commission expires September



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

February 28, 1978

CERTIFIED MAIL

138403

Re: Permit No. 95-7278

Alfred S. Linn
Rt. 3, Box 363
Coeur d'Alene, Idaho 83814

Dear Mr. Linn:

One of the conditions of approval of your water Permit No. 95-7278 (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 May 1, 1978. 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.

RECEIVED
Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division
NCY:jfr
Encl: Proof affidavit

May 18, 1973

Re: Permit No. 95-7278

Mr. Alfred S. Linn
Route #3, Box 363
Coeur d'Alene, ID 83814

Dear Mr. Linn:

Enclosed is a copy of your approved Application for Permit No. 95-7278. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosure

95 7278

April 13, 1973

Re: Application No. 95-7275 Claim No. 95-4073
 " " 95-7277 " " 95-4074
 " " 95-7278 " " 95-4075

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)

95 7278

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 5-7-73 by RL

FE:CR

Enc: Legal Notices (6)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Alfred S. Linn,

Route #3, Box 363, Coeur d'Alene, Idaho

has on April 10, 1973 submitted Application No. 95-7278

for a permit to appropriate 0.04 cubic feet per second ~~across from the Coeur d'Alene River~~

of water from an Unnamed Spring, tributary of Coeur d'Alene Lake

by means of spring box and pipeline

within the SW 1/4 (Gov't. Lot 3), Sec. 11, T. 48N, R. 4W, B.M., Kootenai

County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within ~~the~~ Gov't. Lot 3, Sec. 11, 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 May 7, 1973.

R. KEITH HIGGINSON

95 7278

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho

on April 19 and April 26, 1973

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Alfred S. Linn, Route No. 3, Box 363, Coeur d'Alene, Idaho has on April 10, 1973 submitted Application No. 95-7278 for a permit to appropriate 0.04 cubic feet per second of water from an Unnamed Spring, tributary of Coeur d'Alene Lake by means of spring box and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Gov't. Lot 3), Sec. 11, T. 48N, R. 4W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes within Gov't. Lot 3, Sec. 11, 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 May 7, 1973.

R. KEITH HIGGINSON
Director

April 19, 26, 1973

o.k.
425-73
e

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