

No Color
Documents
In File

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 95-7277 Priority April 10, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that Don V. &/or Janice W. McLeod
of Spokane, Washington, has complied with the terms and conditions of Permit
No. 95-7277 issued pursuant to Application for Permit dated April 10, 1973,
and has submitted proof to the Department of Water Administration on July 30, 1973,
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 Hayden Lake,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>April 1</u> to <u>Oct. 30</u>	at <u>0.04</u> cfs and	<u>0.4 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
0.4 acre feet per year, said waters to be diverted within ~~the~~ Gov't. Lot #3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of
Sec. 21, Twp. 51 N, Rge. 3 W, 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 $\frac{1}{4}$	
51 N	3 W	21								X									

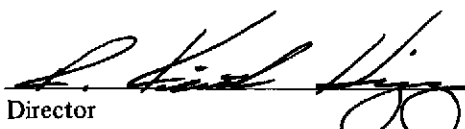
Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of
December, 19 73.

Director


95-7277

Identification No. ⁹⁵ 95-7277
Application No. _____

LICENSE ISSUED FOR CH SEC. P.
LICENSE PAGE 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 Don V. &/or Janice W. McLeod
post office address S. 3116 Bowdish Road, Spokane, WA 99206
2. Source of water supply Hayden Lake which is a tributary of _____
Gov't. Lot 3
3. a. Location of point of diversion is SE ~~xxx~~ NW ~~xx~~ of Section 21 Township 51N
Range 3W B.M. Kootenai County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purpose from April 1 to Oct. 30 (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. Pump and pipeline to place of use.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SE ~~xxx~~ NW ~~xx~~ of Section 21 Township 51N
Range 3W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

95 7277

95 4422

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
TOTALS			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼

Total number of acres to be irrigated.

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

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

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

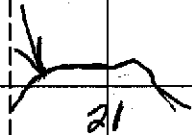
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

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.

P.D. + PLACE OF USE (Gait lot #3)



21

T-51N

R-3W

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.

Janice H. McLeod
(Applicant)

95 7277

Proposed Priority 4-10-1973

Received by RK Date 4/10/73 Time 2:15 P.M.

Preliminary check by RK Fee \$ 10.00

Received by RK Date 4/10/73 # 10618

Publication prepared by CR Date 4-13-73

Published in Coeur d'Alene Press

Publication dates 4-19 & 4-26-73

Publication approved CR Date 5-7-73

Priority ~~documents~~ 4-10-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CR

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. 95-1277, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 74.

c. Other: _____

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

Witness my hand this 16th day of May, 19 73.

[Signature]
Director

4-28-73
56

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>Ec</u>	<u>4/10/73</u>	Application No. <u>95-7277</u> Name <u>Don V. ^{1/2} Janice W. McLeod</u>
(2)	<u>Ec</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>JB</u>	<u>4/10/73</u>	In form for advertising <u>O.K.</u>
(6)	<u>ec</u>	<u>5-7-73</u>	Affidavit of Publication received <u>April 30, 1973</u>
(7)	<u>ec</u>	<u>4-13-73</u>	Final date for protests <u>May 7, 1973</u> Protests received: yes <u>no</u> <u>X</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: <u>Applicant states that the water has been used since 1930s but was left out of the adjudication. He therefore is filing this app. which will grant him authority to use the waters of Hayden Lake.</u>
(13)	<u>JB</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>JB</u> <u>5/2/73</u> No conditions for approval
(14)	<u>JB</u>	<u>5/2/73</u>	District <u>Nathan</u> By <u>Paul Greenblatt</u> Date <u>5/2/73</u> Title <u>Tech</u>

Try to do by the
19 Aug.
"Gran House"

Identification No. _____

Permit No. 95-7277

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

JUL 30 1973

Department of Water Administration
Northern District Office

1. a) Name of Permit Holder Don V. &/or Janice W. McLeod
b) Post Office Address 5316 Bowditch Road, Spokane, WA 99206
2. Permit Number 95-7277
3. Date of Priority that you are prepared to establish 4/10/73
4. a) Source from which water was appropriated Hayden Lake
(Gov't Lot #3)
b) Location of the point of diversion: SE 1/4 NW 1/4, Section 21
Township 51N, Range 36W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .04 for Domestic purposes from April 1 to Oct 30 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 .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: estimated from pump + meter
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: None
b) Describe the agreement or understanding by which you take water from the works: None
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) pump, motor and pipeline to 1 household.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well drillers name and address and date the well was completed _____

95 7277

Exam typed 8/10/73 by jc

95 7277

SEP. 11, 1976 My commission expires

Notary Public residing at Chene d'Alene, Idaho

Carla M. Roberts

On this 30th day of July, 1973, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

State of Texas)
County of Houston) ss.

(Date)

73 / DE / 73

(Signature)

James H. McLeod
(Signature)

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

10. Remarks:

Total number of acres irrigated

[illegible]

Quoi

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

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

AFFIDAVIT OF PUBLICATION - COEUR D'ALENE PRESS

RECEIVED
(WEEKLY)

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

10.44

APR 30 1973

Department of Water Administration
Northern District Office

deposes and says:

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

newspaper on Wednesdays; and that the

Notice of Application
Don V. McLeod

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*, 19*73*, and ending on the

26 day of *April*, 19*73*

Callie Poirtnen

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

19*73*

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Don V. &/or Janice W. McLeod, S. 3116 Bowdish Road, Spokane, Washington have on April 10, 1973 submitted Application No. 95-7277 for a permit to appropriate 0.04 cubic feet per second of water from Hayden Lake by means of pump and pipeline within Gov't. Lot 3, Sec. 21, T. 51N, R. 3W, B.M., Kootenai County to be used from April 1 to Oct. 30 for domestic purposes within Gov't. Lot 3, Sec. 21, T. 51N, R. 3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814, on or before May 7, 1973.

R. KEITH HIGGINSON
Director

April 19, 26, 1973

95 7277

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190

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

December 31, 1973

Re: Permit No. 95-7277

Don V. &/or Janice W. McLeod
S. 3116 Bowdish Road
Spokane, WA 99206

Dear Mr. & Mrs. McLeod:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

95-7277

AUG 14 1973

1. Name of permit holder Don V. &/or Janice W. McLeod

Department of Water Administration
Northern District Office

Post office address S. 3116 Bowdish Road, Spokane Washington 99206 Phone _____

Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Hayden Lake
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for domestic
_____ AF/Annum (nature of use)

Period of Use: from April 1 to Oct. 30
(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: _____

Permit No. 95-7277
Examination for b/u

4. Total amount to be appropriated:

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

5. Location of Point(s) of Diversion:

(Gov't Lot 3)
Township 51N N/S, Range 3W E/W, B.M., Section 21, Subdivision SE 1/4 NW 1/4, Kootenai
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 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: pump, motor and pipeline to 1 household.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
51N	3W	21								X (Gov't Lot 3)									

95-7277

TOTAL ACREAGE _____

44-56

Diagram of System

[illegible]

DATE OF EXAM 8/16/73

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .04 c.f.s. V= 1.2 AF/Ann. from April 1 to Oct 30
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 _____ Method of measurement _____

Total Q recommended .04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 cfs

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

MEASUREMENT CALCULATION:
estimated

SYSTEM DESCRIPTION:
Wayne H. Co Jet
2 H.P.

REMARKS:
water is used for domestic purposes of 1 household

Examiner's Signature Paul Greenblatt Date 8/16/73
Checked by Theroblock Date 9/25/73
Approved by _____ Date _____

August 10, 1973

Re: Permit No. 95-7277

Don V. &/or Janice W. McLeod
S. 3116 Bowdish Road
Spokane, Washington 99206

Dear Mr. & Mrs. McLeod:

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

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

95 7277

May 17, 1973

Re: Permit No. 95-7277

Don McLeod
South 3116 Bowdish Road
Spokane, WA 99206

Dear Mr. McLeod:

We are enclosing a copy of your approved Application for Permit No. 95-7277. Please note the conditions of approval listed on the fourth page of the permit.

We also wish to advise you that in connection with your appropriation made on Hayden Lake, that an adjudication proceeding has been completed in this area and that the court has issued a decree setting forth all of the existing water rights. Under this system your application, as well as the other rights on Hayden Lake, will be administered under the Idaho's priority system of first in time, first in right.

You should be advised that at best, you will have an April 10, 1973 priority and your appropriation as indicated under the condition of approval number 1, will be subject to prior rights.

If you have any questions, please contact our District Office in Coeur d'Alene, Idaho.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

95 7277

BDF:cd

Enclosure

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)

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 5-7-73 by CR

FE:CR

Enc: Legal Notices (6)

95 7277

NOTICE OF APPLICATION FOR WATER PERMIT

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S. 3116 Bowdish Road, Spokane, Washington

~~have~~ on April 10, 1973 submitted Application No. 95-7277

for a permit to appropriate 0.04 cubic feet per second ~~XXXXXX~~

of water from Hayden Lake

by means of pump and pipeline

within ~~the~~ Gov't. Lot 3, Sec. 21, T. 51N, R. 3W, B.M., Kootenai County

to be used from April 1 to Oct. 30

for domestic purposes

within ~~the~~ Gov't. Lot 3, Sec. 21, T. 51N, R. 3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before May 7, 1973.

R. KEITH HIGGINSON

Director

95 7277

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

on April 19 and April 26, 1973

NOTICE OF APPLICATION
FOR WATER PERMIT

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R. KEITH HIGGINSON
Director

April 19, 26, 1973

O.K.
4-25-73
a

4422 56