

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY) 644

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

Callie Painter, 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

Notice of Application for Water

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 10 day of April, 1969, and ending on the 17 day of April, 1969.

Subscribed and sworn to, before me, this 17 day of April

1969.

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

bill submitted 5-1-69

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that the City of Rathdrum, Rathdrum, Idaho has on March 18, 1969 applied for permit under application No. 95-7047 to divert 2.0 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 31, T. 52 N, R. 4 W, B.M., Kootenai County and is to be used from January 1 to December 31 for domestic use in the W $\frac{1}{4}$, sec. 38, T. 52 N, R. 5 W, B.M. and the E $\frac{1}{4}$, sec. 31, T. 52 N, R. 4 W, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

B. KENTH HIGGINS
State Reclamation
Engineer

April 10, 17, 1969

RECEIVED
APR 18 1969
Department of Reclamation

95-7047

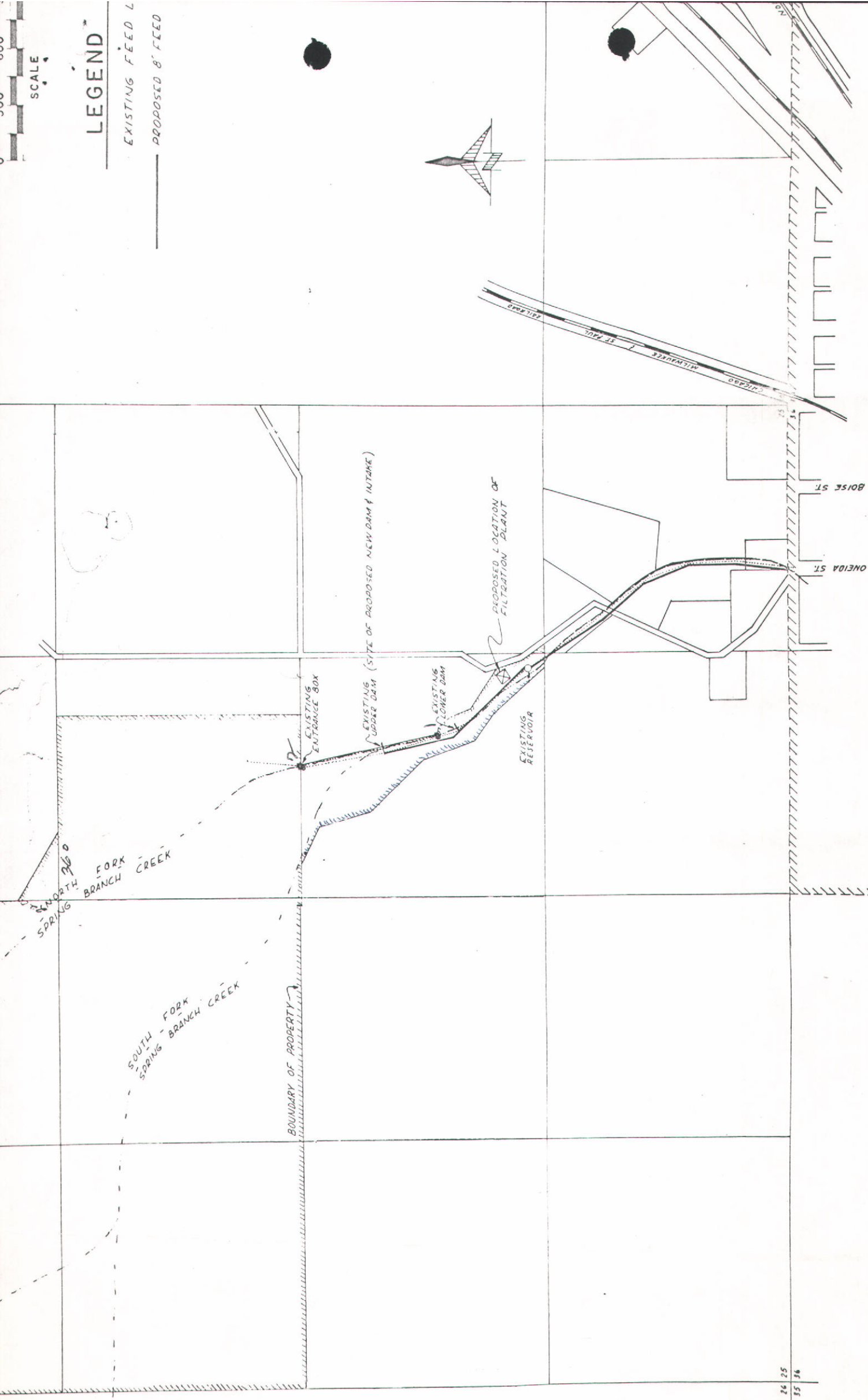
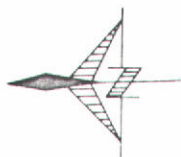


SCALE

LEGEND

EXISTING FEED LINE

PROPOSED 8' FEED



26 25
35 36

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 95-7047 Priority March 31, 1969 Amount 1.30 cfs

THIS IS TO CERTIFY, that the CITY OF RATHDRUM
of Rathdrum, Idaho, has complied with the terms and conditions of Permit
No. 95-7047 issued pursuant to Application for Permit dated March 18, 1969,
and has submitted proof to the Department of Water Administration on June 14, 1974 (late proof),
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 1.30 cfs of water from a ground water source,
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>Municipal</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>1.30</u> cfs and	<u>n/a</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.30 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
n/a acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31,
Twp. 52 N, Rge. 4 W, B.M. in the County of Kootenai

Description and location of place of use: City of Rathdrum, Idaho

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 $\frac{1}{4}$	
52 N	4 W	31	X	X	X	X									X	X	X	X	
52 N	5 W	36					X	X	X	X	X	X	X						

Total number of acres irrigated _____

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

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 2 day of
August, 19 74.

Director

95-7047

Identification No. 95-7047
Application No. _____

LICENSE ISSUED FOR 1.30 SEC. FT. **STATE OF IDAHO**
LICENSE PAG NO. _____ **DEPARTMENT OF RECLAMATION**

APPLICATION FOR PERMIT APPROVED

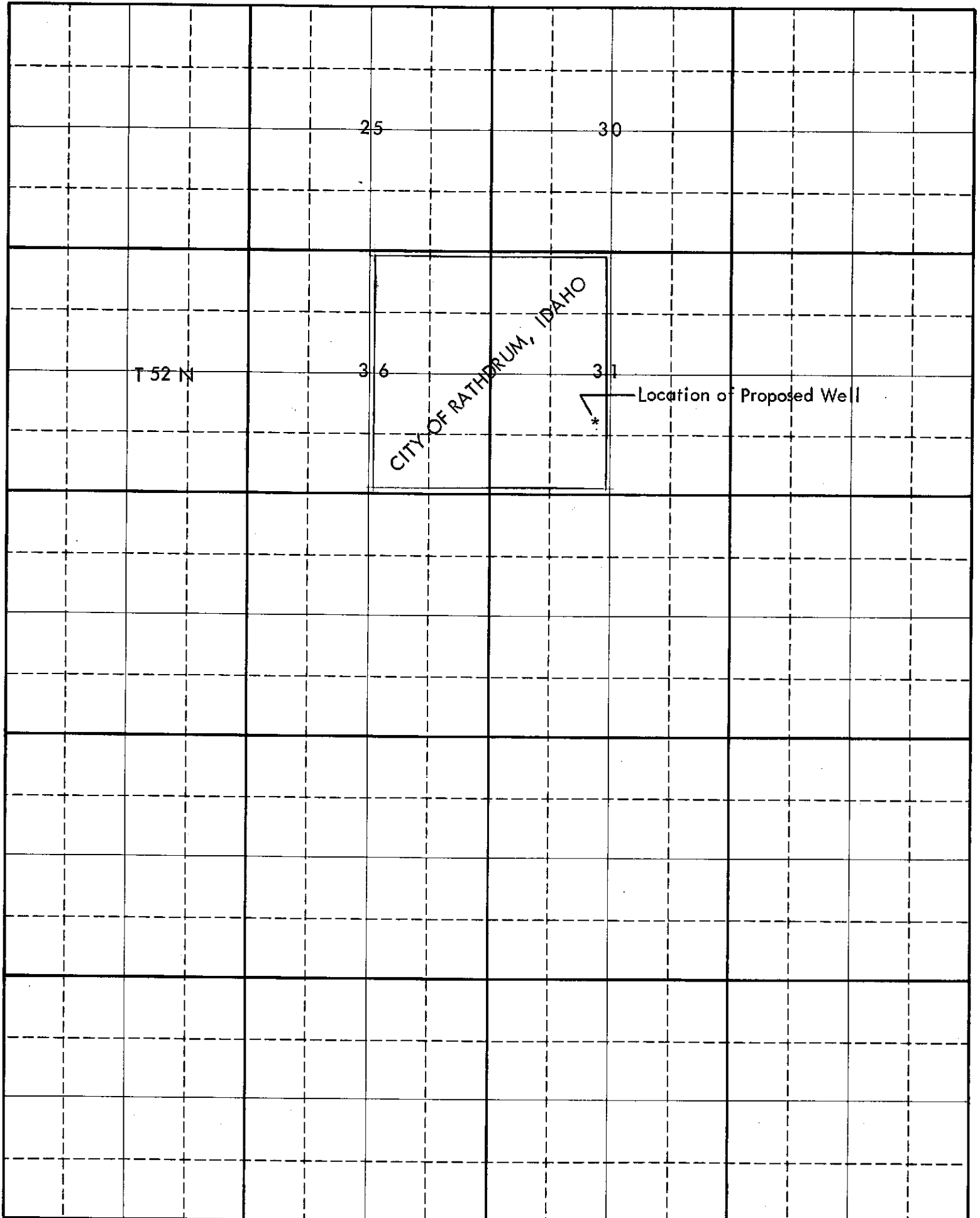
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant CITY OF RATHDRUM, IDAHO
post office address Rathdrum, Idaho 83858
2. Source of water supply Ground Water (Well) which is a tributary of N.A.
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 52 N
Range 4 W B.M. Kootenai County; additional points of diversion if any: None
- b. If water is not consumed, it will be discharged into N.A. 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 2 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. 2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. N.A. drilled well, pump and motors
b. Height of storage dam N.A. feet, active reservoir capacity N.A. acre feet; total reservoir capacity N.A. acre feet, materials used in storage dam: N.A.
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 300 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 \$ 20,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation: W 1/2 - Sec.36 - T 52 N - R 5 WBM and
E 1/2 - Sec.31 - T 52 N - R 4 WBM
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: N.A. hp under _____ feet of head.
(3) List number of each kind of livestock to be watered None
(4) Name of municipality to be served Rathdrum, Idaho, or number of families to be supplied with domestic water 220
(5) If water is to be used for other purposes describe: None

11. Map of proposed project:

R 5 WBM

R 4 WBM



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.

CITY OF RATHDRUM, IDAHO

By: M. F. Louthen, Mayor
(Applicant)

95-7047

State Reclamation Engineer

Witness my hand this 12th day of May 1969.

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

type approved by the department as part of the diverting works.

c. Other: The applicant shall permanently install and maintain a measuring device of a

before June 1, 1970. (Extended to June 1, 1974)

b. Proof of construction of works and application of water to beneficial use shall be submitted on or

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. 95-7047, and said application is hereby APPROVED.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

Recommended for approval denial by *agf pnc*

Hearing held by _____ Date _____

Copies of protests forwarded by _____

Protests filed by: *June 4-30-69*

Priority reduced to _____ Reason _____

Publication approved by *g* Date *4-8-69*

Publication dates *4-10 + 4-14-69*

Published in *Journal of the Bureau*

Publication prepared by *g* Date *4-4-69*

Received by *g* Date *3-20-69*

Preliminary check by *g* Fee \$ *25.00* Date *3-19-69*

Received by *g* Date *3-18-69* Time *9:30am*

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7047)
in the name of CITY OF RATHDRUM, IDAHO)
_____)

ORDER OF REINSTATEMENT

WHEREAS, on March 18, 1969, City of Rathdrum applied to the Department of Water Administration for a permit to appropriate 2 cubic feet per second of groundwater within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 52N, Rge. 4W, B.M., Kootenai County, to be used for municipal purposes; and,

WHEREAS, on May 12, 1969, the Department approved said application and issued Permit No. 95-7047 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1970; and,

WHEREAS, on June 25, 1970, the Department extended the time within which to submit proof of beneficial use of water to June 1, 1974; and,

WHEREAS, on April 1, 1974, the Department notified the permit holders by certified mail that proof of beneficial use was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, on June 6, 1974, the Department notified the permit holders that Permit No. 95-7047 had lapsed for failure to submit the required proof of beneficial use; and,

WHEREAS, on June 14, 1974, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-7047 be REINSTATED and the priority advanced to March 31, 1969.

Dated this 19th day of June, 1974.

R. Keith Higginson
For R. KEITH HIGGINSON
Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME Department of Reclamation

State of Idaho)
County of Kootenai)

Permit No. 95-7047

Herbert Nagel of Coeur d' Alene
(name) (address)

State of Idaho, being first duly sworn, upon his oath 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. 95-7047.

That under the terms and conditions of said permit, work thereunder was required to be completed by June 1, 19 70.

That he has heretofore performed the following work described under said permit:
Drilled well, installed pumps, laid and installed part
of system for distribution of water

Costing \$180,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: due to the delay of the contractor
the distribution system has not been completed, and
the permit holder has been unable to put the water
system should be completed during the summer of
1970 so that we can then put the water to beneficial use

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to June 1, 19 71.

Subscribed and sworn to before me this 15th day of June, 19 70.

(signature)

(notary public)

My commission expires 8/15/71.

Date of receipt at office of Department of Reclamation _____

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby _____

approve the above application for extension of time for permit
No. 95-7047 to June 1, 1974.

Witness my hand this 25th day of June, 19 70.

State Reclamation Engineer

* If other than the holder, Power of Attorney must be supplied.

April 24, 1973

Mr. Herbert Nagel
Law Office of
Herbert Nagel
305 Johnston Building
111 North Second Street
Coeur d'Alene, Idaho 83814

25-7047

Re: City of Rathdrum

Dear Mr. Nagel:

Our Northern District Office and Steve Allred have referred to me your recent letter concerning the City of Rathdrum's claim of water rights on Spring Branch Creek.

I'm sorry that there may have been some confusion concerning the rights of the City and Mr. Thomas McLaughlin. This office certainly does recognize that a right can be established as you have indicated by use for many years by the City. However, until such time as that right has been adjudicated by the court, it is difficult for us to determine how much water the City is entitled to and under what conditions. This and the current pendency of the adjudication of all water rights on ~~Rathdrum~~ **BLANCHARD** Creek and its tributaries may have caused the confusion.

I will be happy to discuss this matter with you and will arrange to visit with you the next time I am in Coeur d'Alene.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Idaho Department of Water Administration
Northern District Office
First Federal Savings & Loan Bldg., Room 210
401 Front Street
Coeur d'Alene, Idaho 83814

May 8, 1973

Mr. Herbert Nagel
Law Office of
HERBERT NAGEL
305 Johnston Building
111 North Second Street
Coeur d'Alene, Idaho 83814

Re: City of Rathdrum, Permit No. 95-7047

Dear Mr. Nagel:

I must apologize to you for my letter of April 24, in which I made reference to the adjudication of Rathdrum Creek. We do have an adjudication currently underway on Blanchard Creek and the two areas got crossed up in my mind. I mistakenly indicated that we are doing something in your areas of concern.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Idaho Department of Water Administration
Northern District
First Federal Savings & Loan Bldg.
Room 210
401 Front Street
Coeur d'Alene, Idaho 83814

May 8, 1973

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Law Office of
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Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Idaho Department of Water Administration
Northern District
First Federal Savings & Loan Bldg.
Room 210
401 Front Street
Coeur d'Alene, Idaho 83814

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

RECEIVED

Department of Water Administration

May 3, 1973

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

Re: City of Rathdrum:

Dear Mr. Higginson:

Thank you for your letter of April 24th.

I am a little confused as to what is meant by the last line of the second paragraph concerning pendency of adjudication of all water rights on Rathdrum Creek. What actually is Rathdrum Creek? What type of proceeding is now pending?

Maybe this can all be resolved in that proceeding, if Spring Branch Creek is a tributary to Rathdrum Creek.

Again, thank you for your letter. The courtesy and assistance of your office is always sincerely appreciated.

Yours very truly,


HERBERT NAGEL

HN:slm

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

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

Callie Paintner, 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

Notice of Application for Water

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 10 day of April, 1969, and ending on the

17 day of April, 1969.

Callie Paintner

Subscribed and sworn to, before me, this 17 day of April

1969.

Patrick King

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

bill submitted

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that the City of Rathdrum, Rathdrum, Idaho has on March 18, 1969 applied for permit under application No. 95-7047 to divert 2.0 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 31, T. 52 N, R. 4 W, B.M., Kootenai County and is to be used from January 1 to December 31 for domestic use in the W $\frac{1}{2}$, sec. 36, T. 52 N, R. 5 W, B.M. and the E $\frac{1}{2}$, sec. 31, T. 52 N, R. 4 W, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

D. K. HARRINGTON
State Reclamation Engineer

April 10, 17, 1969

DEPT.

95-7047

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2215

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

August 6, 1974

Re: Permit No. 95-7047

City of Rathdrum
P. O. Box 67
Rathdrum, Idaho 83858

Gentlemen:

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

95-7047

July 17, 1974

City of Rathdrum
P. O. Box 67
Rathdrum, Idaho 83858

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 95-7047 and has found the following:

Quantity of water diverted: 1.30 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.30 cfs

The maximum quantity diverted shall not exceed n/a acre feet per year.

Beneficial use: for municipal purposes within the City of Rathdrum, Idaho W $\frac{1}{2}$, Sec. 36, Twp. 52N, Rge. 5W, E $\frac{1}{2}$, Sec. 31, Twp. 52N, Rge. 4W, B.M.

Point of diversion: NE $\frac{1}{4}$, Sec. 31, Twp. 52N, Rge. 4W, B.M.

Priority date established: March 31, 1989

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF;jfr

95-7047

850

RECEIVED

JUL 30 1974

- Phone

Phone

- (name spring, stream, etc.)

Tributary to

- (nature of use)

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

(nature of use)

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

(nature of use)

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

- Max Rate of Diversion 2 cubic feet per second and annual volume _____ AF/Annum.

- County

County

County

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16" dia of well, 360' deep.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TOTAL ACREAGE

95-7047

Diagram of System

DATE OF EXAM 6/26/74

ACREAGE
Found ?
Recommended ?

Irrigation Requirement ? Ac Ft/Ac

USE
Irrigation Q= c.f.s. V= AF/Ann. from to
Domestic Q= c.f.s. V= AF/Ann. from to
Livestock Q= c.f.s. V= AF/Ann. from to
Municipal Q: 1.3 cfs V= 1/1 to 12/31

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 1.3 cfs Method of measurement Rockwell Flow Meter

Total Q recommended 1.3 cfs Meter No. None Type Rockwell Condition good

Total V recommended ?

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

1000 gals in 1 min. 43 seconds
Rockwell meter
Seri: None

SYSTEM DESCRIPTION:

U.S. Motors Layne & Bowler Pump
4 1/2 hp shaft Seri: 615596
HP: 75
Seri: P4239621

REMARKS:

Approx 325 water users.

Examiner's Signature Date 6/26/74

Checked by Date 6/26/74

Approved by Date

95-7047

June 18, 1974

Re: Permit No. 95-7047

City of Rathdrum
P. O. Box 67
Rathdrum, ID 83858

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to March 31, 1969.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

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

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enc: Order of Reinstatement

95 7047

Identification No. 95-7047

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

JUN 14 1974

late
Department of Water Administration

1. a) Name of Permit Holder City of Rathdrum
- b) Post Office Address Box 67 - Rathdrum Idaho
2. Permit Number 95-7047
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated Groundwater (well)
- b) Location of the point of diversion: NE 1/4 SW 1/4 Section 31
Township 52N, Range 4W3M Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
amount 2 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 2 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: _____
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) Diameter of well 16 Depth 300'
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Zinkgraph

Exam typed 6/19/74 by JS

95 7047

~~My Commission Expires Jan. 25, 1975~~

NOTARY PUBLIC for the State of Idaho

Notary Public residing at _____

signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

On this 20th day of June, 1974, personally appeared before me the

State of Illinois
County of Franklin
ss.)

(Date)

6/12/74 (Date)

(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

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

uoiS

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

of use

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

2-01 95

June 12, 1974

Re: Permit No. 95-7047

City of Rathdrum
Attn: Norma Cappell, Clerk-Treas.
Rathdrum, Idaho 83858

Dear Ms. Cappell:

Pursuant to your letter received June 11, 1974, enclosed is a copy of the above referenced permit for your records. Please note the conditions of approval on the last page of this permit.

Also enclosed is a proof of beneficial use form with instructions for your use in completing the conditions. Please complete this form and return it to this office as soon as possible, so that this permit may remain in good standing.

If you have any further questions concerning this matter, please contact us.

Sincerely,

Mrs. Jan Grover
Secretary

jg
Enclosures

95 7047

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

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

June 6, 1974

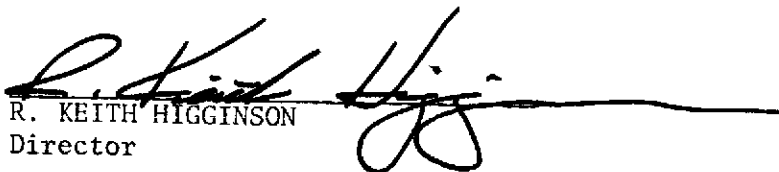
Re: Permit No. 95-7047

City of Rathdrum, Idaho
Rathdrum,
Idaho 83858

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 95-7047 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RECEIVED

Department of Water Administration

Dear Mr. Higginson:

Would you please explain what Permit No. 95-7047 means to the City of Rathdrum? I have been clerk-treasurer for less than a year and haven't seen any information relating to a permit. Is there something we must do to qualify for this permit, if so please advise and we will be happy to comply with whatever is necessary.

Thank you,

Sincerely,


Norma J. Cappell, Clerk-Treas.

95 7047

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2215

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

June 6, 1974

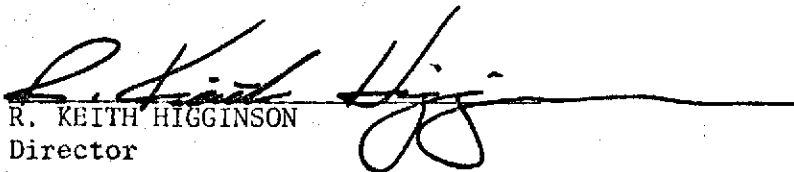
Re: Permit No. 95-7047

City of Rathdrum, Idaho
Rathdrum,
Idaho 83858

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 95-7047 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within 60 days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

95-7047

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 to whom, date and 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.

25315

INSURED NO.

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

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

3

4-2-74

95-7047

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PS Form 3811 Nov. 1970 655-16-81277-1

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

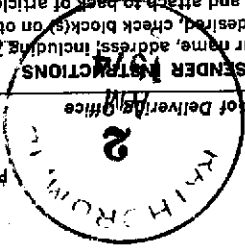
RETURN
TO



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

SENDER INSTRUCTIONS

Postmark of Delivering Office



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



95-7047

April 1, 1974

CERTIFIED MAIL

#25315

Re: Permit No. 95-7047

City of Rathdrum, Idaho
Rathdrum,
Idaho 83858

Gentlemen:

One of the conditions of approval of your water Permit No. 95-7047 (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 June 1, 1974. 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

95-7047

May 8, 1973

Mr. Herbert Nagel
Law Office of
HERBERT NAGEL
305 Johnston Building
111 North Second Street
Coeur d'Alene, Idaho 83814

Re: City of Rathdrum, Permit No. 95-7047

Dear Mr. Nagel:

I must apologize to you for my letter of April 24, in which I made reference to the adjudication of Rathdrum Creek. We do have an adjudication currently underway on Blanchard Creek and the two areas got crossed up in my mind. I mistakenly indicated that we are doing something in your area of concern.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Idaho Department of Water Administration
Northern District
First Federal Savings & Loan Bldg.
Room 210
401 Front Street
Coeur d'Alene, Idaho 83814

95 7047

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

RECEIVED
Department of Water Administration

May 3, 1973

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

Re: City of Rathdrum:

Dear Mr. Higginson:

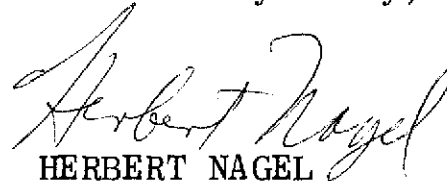
Thank you for your letter of April 24th.

I am a little confused as to what is meant by the last line of the second paragraph concerning pendency of adjudication of all water rights on Rathdrum Creek. What actually is Rathdrum Creek? What type of proceeding is now pending?

Maybe this can all be resolved in that proceeding, if Spring Branch Creek is a tributary to Rathdrum Creek.

Again, thank you for your letter. The courtesy and assistance of your office is always sincerely appreciated.

Yours very truly,


HERBERT NAGEL

HN:slm

5 7017

April 24, 1973

Mr. Herbert Nagel
Law Office of
Herbert Nagel
305 Johnston Building
111 North Second Street
Coeur d'Alene, Idaho 83814

Re: City of Rathdrum

Dear Mr. Nagel:

Our Northern District Office and Steve Allred have referred to me your recent letter concerning the City of Rathdrum's claim of water rights on Spring Branch Creek.

I'm sorry that there may have been some confusion concerning the rights of the City and Mr. Thomas McLaughlin. This office certainly does recognize that a right can be established as you have indicated by use for many years by the City. However, until such time as that right has been adjudicated by the court, it is difficult for us to determine how much water the City is entitled to and under what conditions. This and the current pendency of the adjudication of all water rights on Rathdrum Creek and its tributaries may have caused the confusion.

I will be happy to discuss this matter with you and will arrange to visit with you the next time I am in Coeur d'Alene.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Idaho Department of Water Administration
Northern District Office
First Federal Savings & Loan Bldg., Room 210
401 Front Street
Coeur d'Alene, Idaho 83814

95 7047

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

April 11, 1973

RECEIVED
APR 11 1973

Mr. Steven Allred
State of Idaho
Department of Reclamation
State House Annex 2
Boise, Idaho

Re: City of Rathdrum

Dear Steve:

This is the problem, Steve, I discussed with you at one time. There seems to be no end to the harrassment of the city by the local office. There are numerous residents of the city and other disinterested persons who can verify that the city appropriated all of the water of this creek over seventy years ago and has continually used it. The case law is abundant that our rights date from that time and a subsequent permit to anyone does not determine that he has priority over us.

As you know, last summer when we logged this property we had the local office shut down our logging operations for a week at a great expense to the city, the logger and the purchase of the timber, because we were apparently "interfering" with the water right of another. As a practical matter, I do not see where anyone has any water right which isn't in fact junior to ours. The city is ~~nt~~ trying to be obnoxious but is losing patience over being directed to continually give in to a junior appropriator. I think the city would be willing to have this matter determined by your office, providing it be some person who hasn't been as closely connected as the local people.

I would appreciate your comments on this Steve. I have always had a great deal of confidence in your judgment and knowledge. We are attempting to recover the surface water

Page Two
Re: City of Rathdrum
April 11, 1973

and install a filtering plant, the bids to be let the 17th, and to prevent a bunch of litigation. I think time is of the essence.

Yours very truly,



HERBERT NAGEL

HN:slm

Enclosures

15 7000

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

April 11, 1973

RECEIVED

Department of Water Administration

State of Idaho
Department of Water Administration
Elder Building
Coeur d' Alene, Idaho

Re: City of Rathdrum

Dear Sir:

As you know, I represent the City of Rathdrum. It seems as though there is no end to the problems that arise concerning the city's water supply and source.

I am enclosing a map herein showing ownership of the city. As you can see the city owns all the lands surrounding Spring Branch Creek, except that part between where I have designated points 1 and 2, where the city owns to the center of the creek and the party to the East owns to the center. The City, since before 1900, diverted the entire supply of Spring Branch Creek as a source of water for the town. The entire creek and supply was appropriated by diversion and put to use at that time and was continually used as practically the only source of water for the city until approximately 1971 when as result of the Health Department's continual complaints about the quality of the water, the city drilled another well and diverted the surface water temporarily from the reservoir until such time as a filtration plant could be installed. We are now in the process of this.

Apparently in 1971, one Thomas L. McLaughlin applied for a water right under License No. 95-7157. He, in fact, is not even the owner of the land where the water is used.

Since that time, and during our logging operations we seemed to be continually harrassed by the permit holder who continually trespasses upon our property.

At this point, I would like to make it very clear that under the Idaho law, and all one need do is read Volume 5 of the Idaho Law Review, Fall of 1968, No. 1, commencing on page 1, our right by appropriation is prior in right and prior in time

COPY

95 7047

Page Two
Dept. of Water Administration
Re: City of Rathdrum
April 11, 1973

to any other right. A permit issued by the State does not determine priority between claimants.

The reason this comes up is that Mr. McLaughlin, at our meeting last night, advised that your office advised him his permit was prior to our right acquired by appropriation. This is not the law and is, in fact, not the proper procedure for determining priorities. I really sincerely feel that a good share of our problems arises over these private conferences where only one party is present. It is readily apparent that the city should institute court action to (1) determine that we are in fact prior in right to any other person to all of Spring Branch Creek; (2) for all damages suffered as result of the appropriation or attempt to appropriate by other parties whether with or without the oral approval of the Department; (3) for punitive damages.

It would appear that all of this could be unnecessary if a representative of the Board would meet with both the City and the junior appropriator and each be advised of the exact status of the rights to this creek. We certainly do not want to involve others in lawsuits and would be willing at this point to waive any claim for damages if our prior rights to all of the water be acknowledged and we not be further harrassed regarding this creek. I will be happy to meet with you or someone from your department at any time.

Please let me hear from you.

Yours very truly,

HERBERT NAGEL

HN:slm

Enclosure

cc: Mr. Steve Allred
Boise, Idaho

COPY

95 7037

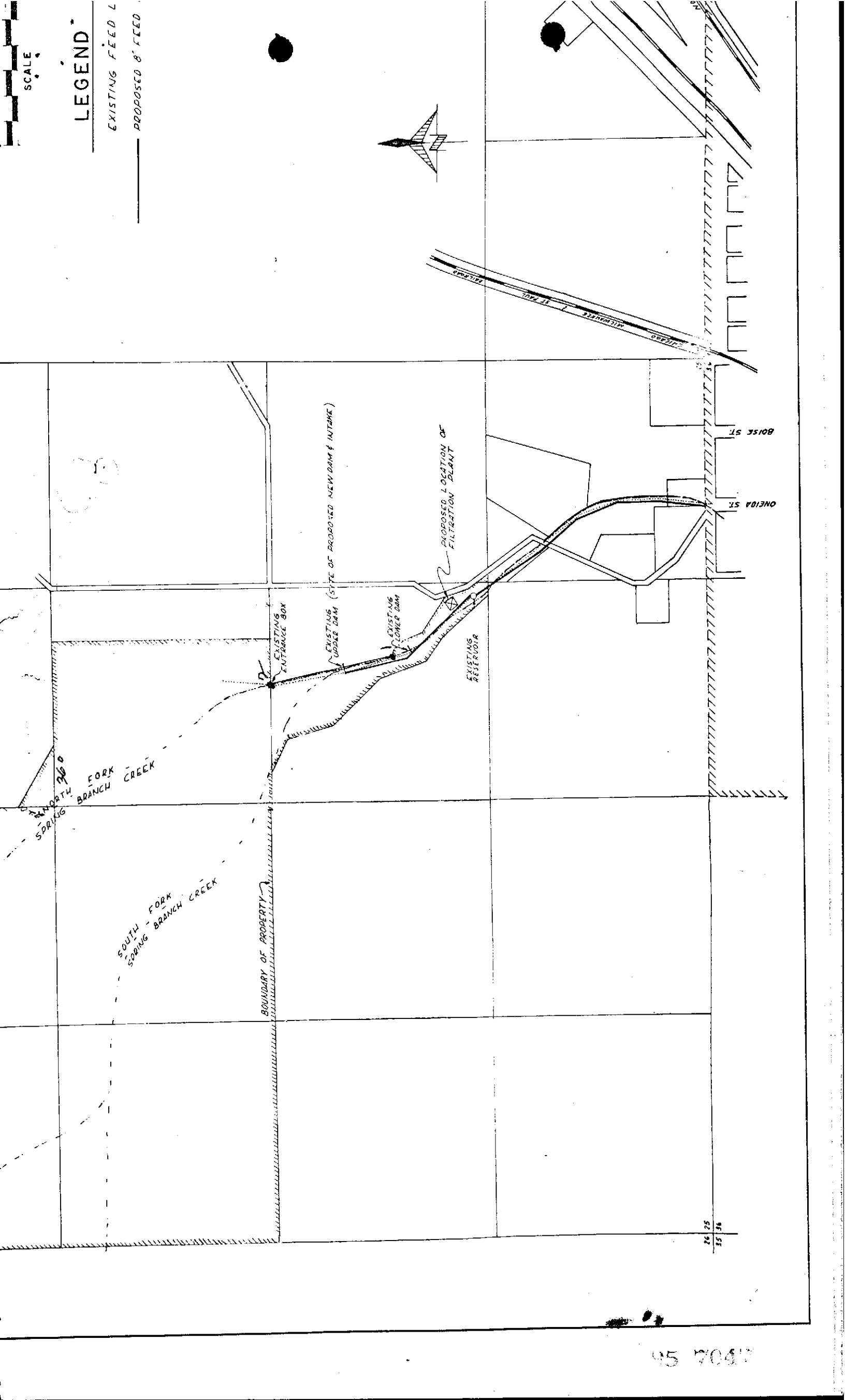


SCALE

LEGEND

EXISTING FEED L

PROPOSED 8' FEED



26 25
25 26

October 2, 1972

Re: City of Rathdrum

Herbert Nagel
305 Johnston Building
111 North Second Street
Coeur d'Alene, Idaho 83814

Dear Mr. Nagel:

The present permit No. 95-7047 does not require evidence of beneficial use to be submitted until June 1, 1974.

You have stated the project has been completed. We are enclosing Beneficial Use forms and instructions so that you may, at this time, acquire a license of permit.

You have inquired as to other rights on this same source and we are enclosing copies of the following: 95-2002, 95-2003, 95-4043, and 95-7157.

If you have any questions on this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Water Rights Supervisor

DWM/cd

Enc: Beneficial Use Forms
copies of
95-2002
95-2003
95-4043
95-7157

95 7047

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

September 27, 1972

Approved of New Legislation

Mr. Donald W. McEldowney
Appropriation Supervisor
State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: City of Rathdrum
Permit No. 95-7047

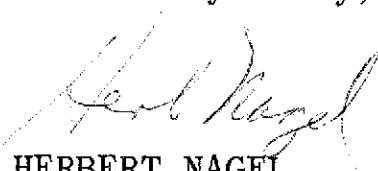
Dear Mr. McEldowney:

Would you please advise the status of the above referred to permit of the City of Rathdrum. We have changed city clerk's and the new clerk cannot determine just what has occurred. We have never been advised what the status is in that the works are complete and have been completed and beneficial use made for about a year and a half.

Additionally, could you forward me a copy of all permits and licenses on Spring Branch Creek, which is the surface source Rathdrum had used for years. If there is a charge, please advise, and we will remit by return mail.

Your advice and assistance is most appreciated.

Yours very truly,


HERBERT NAGEL

HN:slm

5 7047

June 25, 1970

Re: Permit No. 95-7047 - City of Rathdrum

City of Rathdrum
Rathdrum
Idaho 83858

Gentlemen:

Enclosed please find 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 has been extended to June 1, 1974.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enclosure

cc: Herbert Nagel
305 Johnson Bldg.
111 North 2nd St.
Coeur d'Alene, Idaho (1 enc.)

95-7047

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

June 15, 1970

Mr. R. Keith Higginson
State of Idaho
Department of Reclamation
Statehouse Annex 2
Boise, Idaho 83707

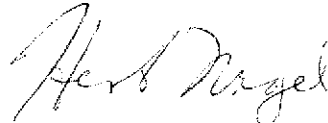
Re: Permit No. 95-7047 *Don*
City of Rathdrum

Dear Mr. Higginson:

Pursuant to previous correspondence in the above matter, and particularly Mr. McEldowney's letter of May 28, enclosed please find Application for Extension of Time, on behalf of the City of Rathdrum. I was out of town for two weeks at the time Mr. McEldowney's letter reached my office, and by phone on June 8th, he advised that the ten days as stated in his letter, would be extended to June 20th.

The cooperation of your office is appreciated.

Yours very truly,



HERBERT NAGEL

HN:slm

Enclosure

95-7047

May 28, 1970

Re: Permit No. 95-7047

Mr. Herbert Nagel
305 Johnston Building
111 North Second St.
Coeur d'Alene, Idaho 83814

Dear Mr. Nagel:

Please be advised that we have received your request for an extension of time dated May 1, 1970.

In order for the Department to consider a request for an extension of time, the request must be submitted on our form. We have enclosed a form for your use. We shall consider the date of receipt as being that of your letter of May 1, 1970, if you submit the required form within ten days.

If you have any question, please contact this office.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: extension of time form

*Will have left in
by 25th per
phone call.*

95-7047

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

May 11, 1970

Mr. Donald W. McEldowney
Appropriation Supervisor
State of Idaho
Department of Reclamation
Statehouse Annex 2
Boise, Idaho 83707

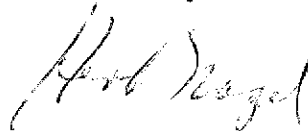
Re: Permit No. 95-7047
City of Rathdrum.

Dear Mr. McEldowney:

On May 1st I wrote you requesting an extension of one year for filing proof of beneficial use, in the above matter, due to construction problems.

Since the June 1, 1970 deadline is drawing near, I would appreciate hearing from you as to our procedure herein.

Yours very truly,



HERBERT NAGEL

HN:slm

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

May 1, 1970

RECEIVED
MAY 1 1970
CITY OF RATHDRUM

Mr. Donald W. McEldowney
Appropriation Supervisor
State of Idaho
Department of Reclamation
Statehouse Annex 2
Boise, Idaho 83707

Re: Permit No. 95-7047
City of Rathdrum

Dear Mr. McEldowney:

Please be advised that we will not be able to complete this water system, due to construction problems, for approximately another year.

Request is therefor made to amend the permit and 7a thereof and request that the time for proof of beneficial use to be extended to June 1, 1971. If any form need be executed, please advise.

Your cooperation is appreciated.

Yours very truly,


HERBERT NAGEL

HN:slm

95-7047

April 30, 1970

Re: Permit No. 95-7047
City of Rathdrum

Mr. Herbert Nagel
305 Johnston Building
111 North Second Street
Coeur d'Alene, Idaho 83814

Dear Mr. Nagel:

Enclosed please find a copy of the above referenced permit.
Please be advised that the city of Rathdrum is required to submit
proof of beneficial use on or before June 1, 1970. Please contact
us if you have any further needs.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:TG

Enc: copy of permit

95-7047

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

April 15, 1970

Mr. R. Keith Higginson
State Reclamation Engineer
Department of Reclamation
Statehouse Annex 2
Boise, Idaho 83707

Re: City of Rathdrum

Dear Mr. Higginson:

On March 14, 1969, we forwarded application for permit for the well at Rathdrum. Would you please forward to me a copy of the permit.

Yours very truly,



HERBERT NAGEL

HN:slm

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

City of Rathdrum

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

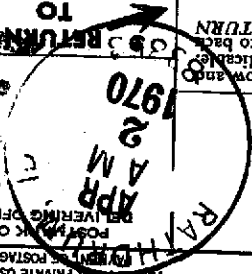
4-270

95-7047

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

POST OFFICE OF
DELIVERING OFFICE



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Address # 10 00000 000

Post Office, State, and ZIP Code

BOISE, Idaho 83707

April 1, 1970

Re: Permit No. 95-7047

City of Rathdrum
Rathdrum
Idaho 83858

Gentlemen:

One of the conditions of the approval of your permit no.
95-7047 was that proof of application of the water
to beneficial use be submitted to this office on or before
June 1, 1970.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204,
Idaho Code Amended.

Either the proof or a request for 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.



State Reclamation Engineer

Enc: Proof form
dr

CERTIFIED MAIL #

21771

95-7047

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

[illegible]

May 14, 1969

Re: Permit No. 95-7047

City of Rathdrum
Rathdrum,
Idaho 83858

Dear Sirs:

We enclose a copy of your approved application for permit 95-7047
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. 2823 for \$25.00
2 informational letters

95-7047

LEGAL

NOTICE OF

APPLICATION FOR WATER

Notice is hereby given that the City of Rathdrum, Rathdrum, Idaho has on March 18, 1969 applied for permit under application No. 95-7047 to divert 2.0 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump, motor within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, sec. 31, T. 52 N, R. 4 W, B.M., Kootenai County and is to be used from January 1 to December 31 for domestic use in the W $\frac{1}{2}$, sec. 38, T. 52 N, R. 5 W, B.M. and the E $\frac{1}{4}$, sec. 31, T. 52 N, R. 4 W, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

95-7047
April 10, 17, 1969

April 4, 1969

Re: Application No. 95-7047 - City of Rathdrum
Application No. 95-7048 - Delbert E. Johnson

Coeur d' Alene Press
Second and Lakeside
Coeur d' Alene, Idaho 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 date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: legal notices (2)

95-7047

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that ~~the City of Rathdrum, Rathdrum, Idaho~~
_____ has on March 18, 1969
applied for permit under application No. 95-7047 to divert ~~store~~
2.0 cubic feet per second ~~zero feet~~ of water from ~~a ground~~
~~water source~~. Water will be diverted by ~~a well,~~
~~pump, motor~~ within the ~~NELSW~~,
~~sec. 31, T. 52 N, R. 4 W, B.M., Kootenai County~~
and is to be used from January 1 to december 31 for
domestic use
in the W $\frac{1}{2}$, sec. 36, T. 52 N, R. 5 W, B.M. and the E $\frac{1}{2}$, sec. 31, T. 52 N,
R. 4 W, B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on April 10 and April 17, 1969.

LAW OFFICE OF
HERBERT NAGEL
305 JOHNSTON BUILDING
111 NORTH SECOND STREET
COEUR D'ALENE, IDAHO 83814

March 14, 1969

RECEIVED

MAR 18 1969

City of Rathdrum

Mr. R. Keith Higginson
State Reclamation Engineer
Department of Reclamation
State of Idaho
Statehouse Annex 2
Boise, Idaho 83707

Re: City of Rathdrum

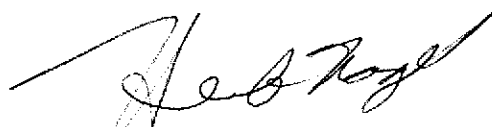
Dear Mr. Higginson:

Enclosed herein please find Application for Permit,
of the City of Rathdrum, together with my check in the
amount of \$25.00.

If anything further is needed, please advise.

Whatever you can do to expedite this, will be sincerely
appreciated.

Yours very truly,


HERBERT NAGEL

HN:s1m

Enclosures

95-1047