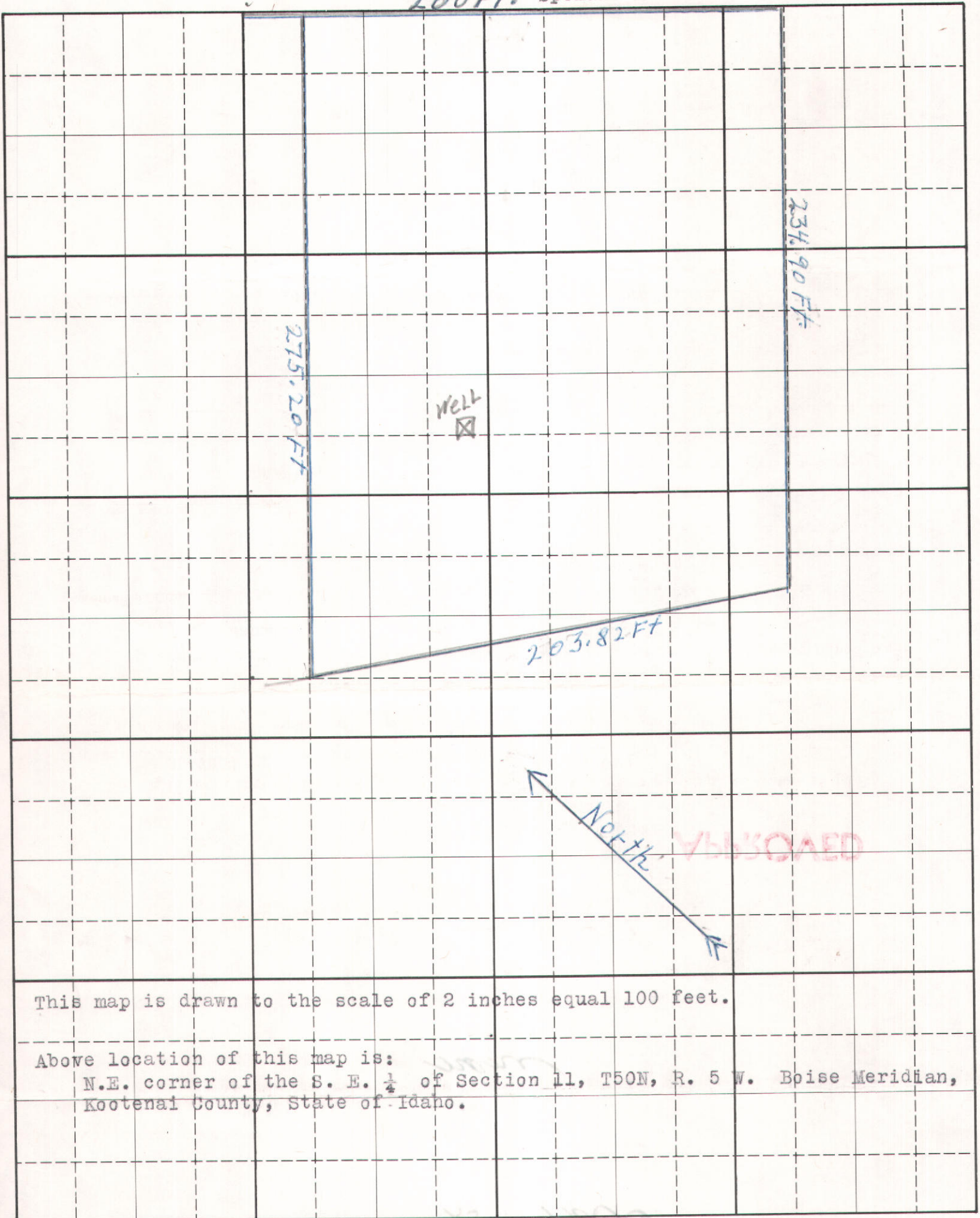


11. Map of proposed project:

200 Ft. Spokane River side.



Scale: 2 inches equal ~~XXXX~~ 100 feet.

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.

Erwin H. Piotrowski
(Applicant)

95-7004

Permit No. 95-7004

Name of Applicant Erwin H. Nicolaus, Route 1, Box 119, Coeur d'Alene, Idaho 83814

Source of Water _____

a tributary of

Location of P.D. NE¹/₄SE¹/₄, Sec. 11, T. 50 N, R. 5 W, B.M., Kootenai County.

Water is used for Domestic

Quantity of water claimed: Permit .02 c.f.s. Deposits 0.02 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works 259'x6"; 1 h.p. Reda submersible pump

Land to be irrigated or place of use:

Description

50 N	5 W	11	NE $1\frac{1}{4}$ SE $1\frac{1}{4}$
------	-----	----	-------------------------------------

Filed - October 13, 1967

Due - January 1, 1969

Made - November 21, 1968

Priority - October 13, 1967

Total acreage

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.

may 2007

Chapman

251

1

0.0



95-7004

allow .02 of S for domestic use.	
max Vol diverted not to exceed	
.73 ac-ft/year	

WATER LICENSE

Water License No. 95-7004 Priority October 13, 1967 Amount 0.02 c.f.s.

THIS IS TO CERTIFY, that ERWIN H. NICOLAUS
of Coeur d'Alene, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated October 13, 1967; that Permit 95-7004 was issued pursuant
to said application; that the proposed works were completed on or about November 21, 1968
with a storage/or carrying capacity of 0.02 c.f.s., said works consisting of
well, pressure tank, pipe, and pump; and that on December 3, 1968
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 0.73
acre feet per season, with a maximum rate of diversion of 0.02 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Domestic from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 50 N, R. 5 W, B.M., and
other additional points _____, in the County of
Kootenai; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 0.73 acre feet per year.

Description and location of place of use:

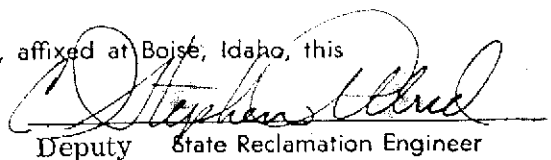
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
50 N	5 W	11													X				

Total number of acres irrigated _____

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

17th day of November, 19 69.


Deputy State Reclamation Engineer

95-7004

Identification No. 95 - 7004

Permit No. _____

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

NOV 22 1966

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder Erwin H. Nicolaus
- b) Post Office Address Rt. 1 Box 119 Coeur d'Alene, Idaho 83814
2. Permit Number _____
3. Date of Priority that you are prepared to establish June 1, 1967
4. a) Source from which water was appropriated well
- b) Location of the point of diversion: N.E. 1/4 S.E. 1/4, Section 11
Township 50 N, Range 5 W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .02 for domestic purposes from 1-1 to 12-31 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 _____ 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) 1 - H. P. REDA submersible pump 6 inch casing 259 feet deep
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 Holman Drilling Corp.
East 3410 Ninth Ave., Spokane, Washington
Date: 6 - 22 - 1966

95-7004

11/24/20

Notary Public residing at Mr. John J. Lee, 1000

State of Illinois)
County of Madison) ss.

11-21-68

Edw. H. McFarland

10. Remarks:

Total number of acres irrigated

[illegible]

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

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

Identification No. 95-7004

Application No. 42085

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant Erwin H. Nicolaus
post office address Rt. 1 Box 119 Coeur d'Alene, Idaho 83814
2. Source of water supply Well which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 50N
Range 5W B.M. Kootenai County; additional points of diversion if any: _____
Green Ferry Bay Tract, Gov't Lot 6, Lot # 10, 11 and Tax #5818
Plat map filed Sept. 14, 1957 at Kootenai County
- b. If water is not consumed, it will be discharged into a septic tank at a point in NE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 11 Township 50N Range 5W B.M.
4. Quantity to be appropriated:
a. .02 cubic feet per second and/or Well Capacity is over 10 gallons
per minute
b. none acre feet per annum will be stored.
5. Water will be used for the following purposes:
Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. None

- b. Height of storage dam None feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____

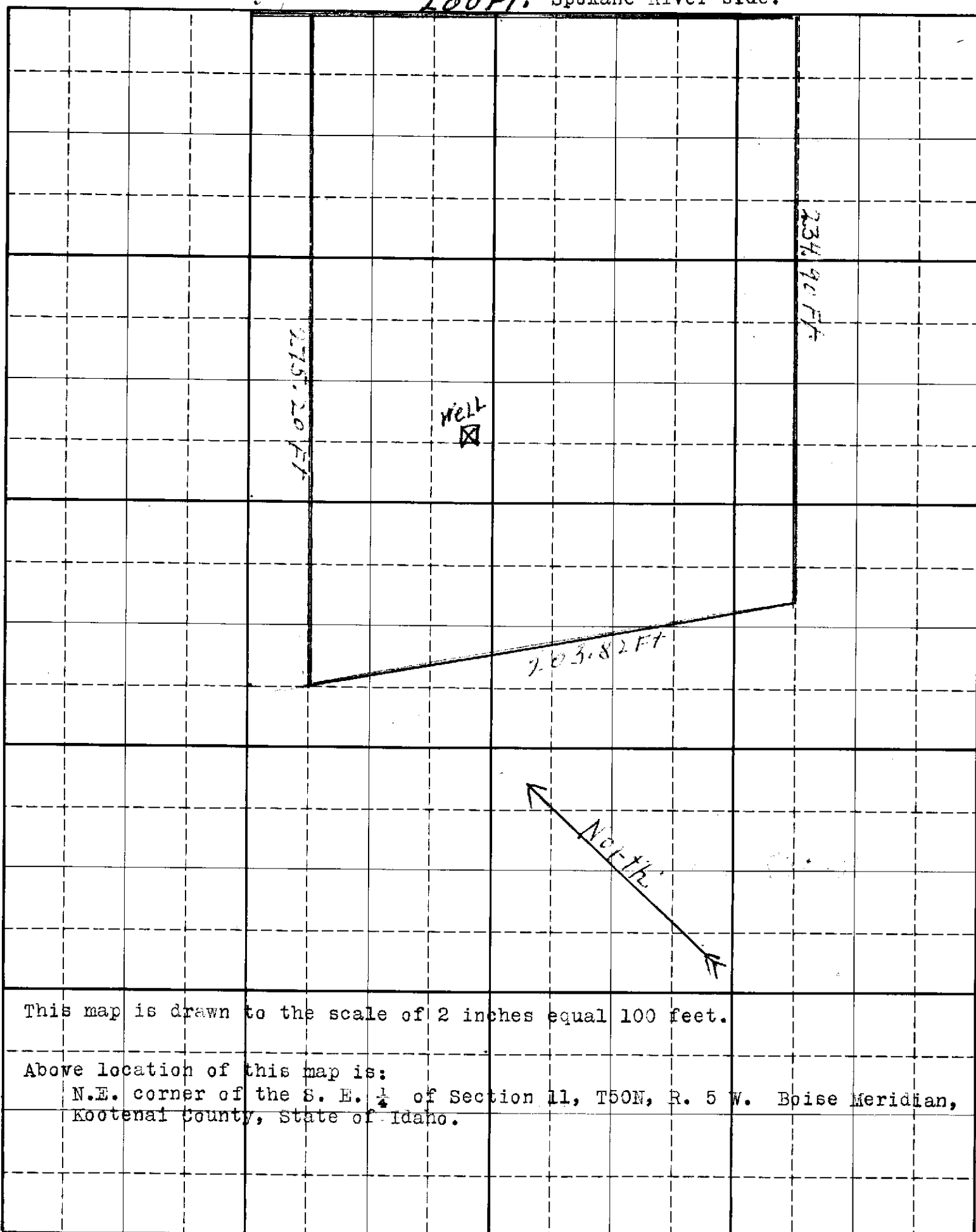
- c. Proposed well diameter is 6 inches; proposed depth of well is 265 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 0.01 years. **Well was completed and in operation May, 1966**
- b. Estimated construction cost is \$ 3,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 50N
Range 5W B.M.
(2) Amount of power to be generated: None hp under _____ feet of head.
(3) List number of each kind of livestock to be watered Unknown

(4) Name of municipality to be served None, or number of families to be
supplied with domestic water 3.
(5) If water is to be used for other purposes describe: _____

95-7004

11. Map of proposed project:

200 Ft. Spokane River side.



Scale: 2 inches equal ~~XXXX~~ 100 feet.

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.

Erwin H. Brinkley
(Applicant)

95-7004

Received by KS Date 10-13-67 Time 9:25 AM

Preliminary check by KS Fee \$ 10.00

Received by KS Date 10-13-67

Publication prepared by KS Date 10-23-67
Wanda Allen

Published in Wanda Allen

Publication dates 11-29 to 12-18

Publication approved KS Date 10-13-67

Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KS R. H. Allen

APPROVED ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7004 **APPROVED**, 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 January 1, 19 69.

c. Other: _____

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

Witness my hand this 14th day of December, 19 67.

J. Keith Hyman
State Reclamation Engineer

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

STATE OF IDAHO,

County of Kootenai,

ss.

598

deposes and says:

Callie Painter

being first duly sworn,

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 *2* day of *November*, 196*7*, and ending on the

9 day of *November*, 196*7*.

Callie Painter

Subscribed and sworn to, before me, this *9* day of *November*

196*7*

Patrick King

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

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that *Eryn H. Nicolaus* has on October 18, 1967, applied for permit to divert ~~22~~ cubic feet per second of water from a subterranean source under application No. 95-7004. Water will be diverted by a well within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 50 N. R. 8 W, B.M., Kootenai County and is to be used from January 1 to December 31 for domestic purposes in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11 T. 50 N, R. 5 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
Nov. 2, 9, 1967

NOV 10 196*7*

Department of Reclamation.

95-7004

STATEMENT

THE COEUR D'ALENE PRESS CO.

Publishers

Second & Lakeside - Phone MOhawk 4-8176 - Coeur d'Alene, Idaho 83814

NOV 10 1961

Department of Reclamation

Department of Reclamation
107 State House
Boise, Idaho

ACCOUNTS ARE DUE AND PAYABLE ON OR BEFORE 10TH OF MONTH FOLLOWING PURCHASE

11/9 Notice of Application for Water

5.98

"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."

THE COEUR D'ALENE PRESS

Callie Fournier CASHIER

95-7004

November 17, 1969

Re: Permit No. 95-7004

Mr. Erwin E. Nicolaus
Route 1, Box 119
Coeur d'Alene, Idaho 83814

Dear Mr. Nicolaus:

Enclosed you will find your Water License issued on the
above numbered permit.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosure

95-7004

November 5, 1969

Re: Permit No. 95-7004

Mr. Erwin H. Nicolaus
Route 1, Box 119
Coeur d'Alene, Idaho 83814

Dear Mr. Nicolaus:

A representative from this department made an examination of your works covered by permit 95-7004. The works were found capable of producing 0.02 c.f.s. of which 0.02 c.f.s. can be recognized as beneficially used and licensed under Idaho law. The water is used for domestic use within NE¹SE¹ Sec. 11, T. 50 N., R. 5 W., B.M.

If you disagree with the findings, please advise within 10 days. Otherwise a license will be issued showing the findings as set forth in this letter.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

95-7004

Permit No. 95-7004

Name of Applicant Erwin M. Nicolaus, Route 1, Box 119, Coeur d'Alene, Idaho 93314

Source of Water	Subterranean
-----------------	--------------

a tributary of

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 50 N, R. 5 W, B.M., Kootenai County.
Location of P.D.

Water is used for Domestic

Quantity of water claimed: Permit	.02 c.f.s.	Depositions	0.02 c.f.s.
-----------------------------------	------------	-------------	-------------

Type of measuring device installed or method of measurement and general description of diversion works 259'x6"; 1 h.p. Reda submersible pump

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
50 N	5 W	11	NE $\frac{1}{4}$ SE $\frac{1}{4}$

Filed - October 13, 1967

Due - January 1, 1969

Made - November 21, 1968

Priority - October 13, 1967

Total acreage

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.

ALLOW .02 QTS FOR DOMESTIC USE.
MAX VOL DIVERTED NOT TO EXCEED -73 AC-FT/YEAR.

95-7004

Source of supply Sagehen

a tributary of _____

Location of P.D.(s) N.E. Sec 11 T2N 52W

Water is used for Irrigation

Quantity of water found .02 cfs (10 gpm)

How was the measurement made? Based upon discharge by hourly

Measurement calculations _____

10 gpm by Deereason Pump Co.

Diversion works description and diagram

6" Well - 1 1/4" P.D.C

82 gal storage

Pressure tank

1 House hold

(Deereason Pump Co

10 SPRING WASH.

logel /win)

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

Mr. GEORGE H. NICHOLAS

Recommended allowance for licensing .02 cfs.

Description of required amendments. Comments. _____

FS-7005

Check for license

on license line

1/2 acreage fee

water # 7437

8-120730-01

PRICES 6-11-60

1" 1045 1 OUTLET

60 PSI

3400000 for

construction of 1/2 acre

Report checked? _____

Examination date 8-18-69

Signature DR

Don Reynolds

100-10-100

Work started: AUG 30 1965
Work finished: SEPT 14 1965
Well Driller's Statement: This well was drilled under my supervision and this report is true to the best of my knowledge.
Name: HOLMAN DRILLING CORP
Address: E 3410 9TH SPOKANE
Signed by: Arnold E. Holman PRES
License No. 108 Date: FEB 4 1969

95-7004

December 16, 1968

Re: Permit No. 95-7004

Erwin H. Nicolaus
Route #1, Box 119
Coeur d' Alene, Idaho 83814

Dear Mr. Nicolaus:

We acknowledge receipt of your affidavit submitted as proof of beneficial use on application for permit 95-7004.

Before a license can be issued a field examination must be made by a representative from 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 someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWN:ks

95-7004

Form 8

exam typed

November 25, 1968

Re: Permit No. 95-7004

Mr. Erwin H. Nicolaus
Route #1, Box 119
Coeur d' Alene, Idaho 83814

Dear Mr. Nicolaus:

Returned herewith is your affidavit submitted as proof of beneficial use for the above referenced permit.

The department will require that you submit answers under Item 7a and 7c of the affidavit.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: affidavit

PS. Please bear in mind that an acceptable proof must be received on or before January 1, 1969.

95-7004

95-7004-113
95-95-200-6

November 13, 1968

Mr. E. H. Nicolaus
Route #1, Box 119
Coeur d'Alene, Idaho 83814

Dear Mr. Nicolaus:

Thank you for your letter of November 1, 1968. Please find an additional set of proof forms for your use. Thank you for your assistance.

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:ks
enclosure: Proof forms (2)

95-7004

RECEIVED

NOV 4 1968

Department of Reclamation
November 1, 1968

Mr. Donald W. McEldowney
Department of Reclamation
Statehouse, Idaho

Dear Mr. McEldowney:

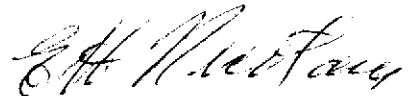
Received your letter of October 23, 1968 with only
one form for "Proof of Application of Water to Beneficial Use."

As your letter stated, two were to be enclosed,-- one
for irrigation water from the Spokane River and one for
my well.

Please mail me the 2nd application form so that this
matter may be cleared up.

Thank you.

Yours truly,



E. H. Nicolaus

Mr. E. H. Nicolaus
Rt. 1 Box 119
Coeur d'Alene, Idaho
83814

95-7004

November 4, 1968

Re: Permit No. 95-7004

Erwin E. Nicolaus
Route 1, Box 119
Coeur d'Alene, Idaho 983814

Dear Mr. Nicolaus:

One of the conditions of the approval of your permit 95-7004 was that proof of application of the water to beneficial use be submitted to this office on or before January 1, 19 69.

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

Either the proof or a request for extension 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

Enclosure: Proof form

95-7004

Form 5

December 14, 1967

Re: Permit 95-7004

Erwin H. Nicolaus
Route 1, Box 119
Coeur d'Alene, Idaho 83814

Dear Mr. Nicolaus:

We enclose a copy of your approved application for permit 95-7004 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,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

Enclosure: Copy of application
Receipt No. 34073 for \$10.00

95-7004

Form 4

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.

210464

INSURED NO.

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

NOV - 8 1968

SHOW WHERE DELIVERED *(only if requested)*

3

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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



**POSTMARK OF
DELIVERING OFFICE**

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

**RETURN
TO**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

**Department of Reclamation
Annex #2 Statehouse
Boise, Idaho 83707**

085-18-71648-10

POD Form 3811 Apr. 1967

October 23, 1967

Re: Application No. 95-7004

The Coeur d'Alene Press
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 can not 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.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Erwin H. Nicolaus
has on October 13, 1967
applied for permit to divert ~~1000~~ .02 cubic feet per second ~~at the~~
of water from a subterranean source
under application No. 95-7004. Water will be diverted by a well
within the NE¹/₄ Sec. 11, T. 50 N., R. 5 W., B.M., Kootenai County
and is to be used from January 1 to December 31 for domestic purposes
in ^{the} ~~the~~ NE¹/₄ Sec. 11 T. 50 N., R. 5 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 November 2 and November 9.

95-7004