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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 94-9505

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) LAURA A. Arnold KEEFER Phone 208-753-2961
 Mailing address P.O. Box 154 City Osburn
 State ID ZIP 83849 Email _____
 Name connector (check one): ☐ and ☐ or ☒ and/or
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply BLACK LAKE which is a tributary of CDA River
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
47N	3W	12	6		SE	NE	Kootenai	BLACK LAKE	

5. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

6. Total quantity to be appropriated is (a) 0.04 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).

7. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source. SMALL UNDER 5hp GAS powered Pump with screened inlet to draw water FROM LAKE
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by NS Receipt No. N0832521 Date 4-25-17

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households NO HOME IRRIGATION UNDER 1/2 ACRE
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
42N	3W	12	6 3-15-17			D													

Total number of acres to be irrigated: _____

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? NONE

- Who owns the property at the point of diversion? APPLICANTS
- Who owns the land to be irrigated or place of use? APPLICANTS
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. INSTALL PORTABLE PUMP WITH SCREENED INLET FOR IRRIGATION OF LAKE FRONT LOT

13. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Laura A. Keefer
Signature of Applicant
Laura A. Keefer
Print Name (and title, if applicable)

Arnold A. Keefer
Signature of Applicant
ARNOLD A. KEEFER
Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit
94-XXXXXX



0 0.01 0.02 0.04 Miles

- PLS Sections
- Taxlots



Tax Parcel Information provided by Kootenai County.



850 A STREET
P.O. BOX 408
PLUMMER, IDAHO 83851-0408
Phone: 208-686-5302
Fax: 208-686-3021

Annual Encroachment Lease

To: Laura and Arnold Keefer
PO Box 154
Osburn ID 83849

Date: March 24, 2017
Amount Paid: \$150.00
Lease #: 11273-0575-2017

Encroachment Number: 0575

Encroachment Type: Single Slip Dock/Water Withdrawal

Parcel Number: 0-8680-003-999-A

Chapter 44: Encroachments, and all supporting rules, regulations, and fee schedules are incorporated herein by reference and made part hereof.

44-1.01 Jurisdiction and Intent

Jurisdiction. The Coeur d'Alene Tribe has exercised exclusive sovereignty and dominion over the submerged lands and waters within the area now known as the Coeur d'Alene Reservation since time immemorial. The submerged lands and waters within the Coeur d'Alene Reservation are owned by the Coeur d'Alene Tribe and the Tribe is legally entitled to the exclusive use and occupancy of them. These submerged lands and waters are essential to the Tribe's "dignity and ancient right." *Idaho v. The United States and Coeur d'Alene Tribe* 533 U.S. 262 (2001). The regulation of use of the submerged lands and waters are an essential governmental function of the Tribe. The Tribal and public health, safety and welfare requires that any allowed use of an encroachment upon these waters and submerged lands be regulated to protect water quality and quantity, navigation, fish and wildlife habitat, aquatic life, aesthetic beauty and Tribal values.

Tribal Intent. The Coeur d'Alene Tribe has the right of exclusive use and occupancy and to exclude non-Tribal member uses of the waters and submerged lands within the Reservation. The Coeur d'Alene Tribe may permit non-Tribal members the privilege to use these waters and submerged lands in certain specific, well-defined ways. Such use is by permission only and is to be narrowly construed. It is the intent of the Coeur d'Alene Tribe to reserve for enrolled members of the Coeur d'Alene Tribe the exclusive use and occupancy of all waters within the Coeur d'Alene Reservation and of all submerged lands underlying navigable waters within the Coeur d'Alene Reservation, except as specifically otherwise authorized.

44-2.01 No Rights Conferred

No enforceable rights or privileges regarding use of the waters or submerged lands of the Coeur d'Alene Reservation are conferred on those who are not enrolled members of the Coeur d'Alene Tribe. All use of the waters or submerged lands by non-Tribal members is at the sole discretion of the Tribe. Permissive use by non-Tribal members is allowed only to the extent specifically authorized by the Tribe. Additional uses are neither inferred nor implied and are denied.

Permit Conditions and Limitations: This permit does not convey the Tribe's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.

Current construction and maintenance standards are incorporated herein by reference and made a part hereof. This permit constitutes implied consent for authorized representatives of the Tribe to come upon Permittee's lands or other property at all reasonable times as necessary to inspect the encroachment authorized. Permittee assumes all liability for damages resulting from the exercise of this permit or placement of this encroachment. Any modification to the encroachment requires pre-approval from the Tribe. Additional federal permits may be required. This encroachment shall comply with all rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams within the Coeur d'Alene Reservation.

Standards: The Tribal staff is authorized to adopt appropriate standards for all existing, repaired, replaced and new encroachments.

Docks: It is the policy of the Tribe to generally permit existing docks, provided they are in good repair, comply with Tribal standards, a current Tribal permit and lease fee has been paid, and a Tribal permit issued. Only waterfront property owners are eligible to apply for an encroachment permit. The possession of an easement for the shoreline does not qualify. It is the policy of the Tribe to eventually eliminate all encroachment permits for docks without waterfront property ownership. A person who holds an expired State of Idaho permit for a dock but does not own waterfront property may, in appropriate situations, be granted continued use of an existing dock. Any such exceptions shall sunset upon change of ownership.

Multi-Slip or Cooperative Docks and Commercial Marinas: It is the policy of the Tribe to generally permit existing multi-slip or cooperative docks and commercial marinas so long as they are maintained in good repair, comply with Tribal standards and a current Tribal lease fee has been paid and a Tribal permit issued.

Water Diversion: No water shall be diverted from Tribal waters unless a valid water or appropriation permit is obtained from the Tribe.

It is the responsibility of the encroachment owner to notify this office of any change in title to the real property associated with this permit and to disclose to prospective purchasers that this is a conditional use permit which does not constitute a real property interest.

This permit is non-transferable. Should encroachment ownership change notify this office within 30-days. Any transfer of encroachment ownership requires issuance of new permit under name of new owner.

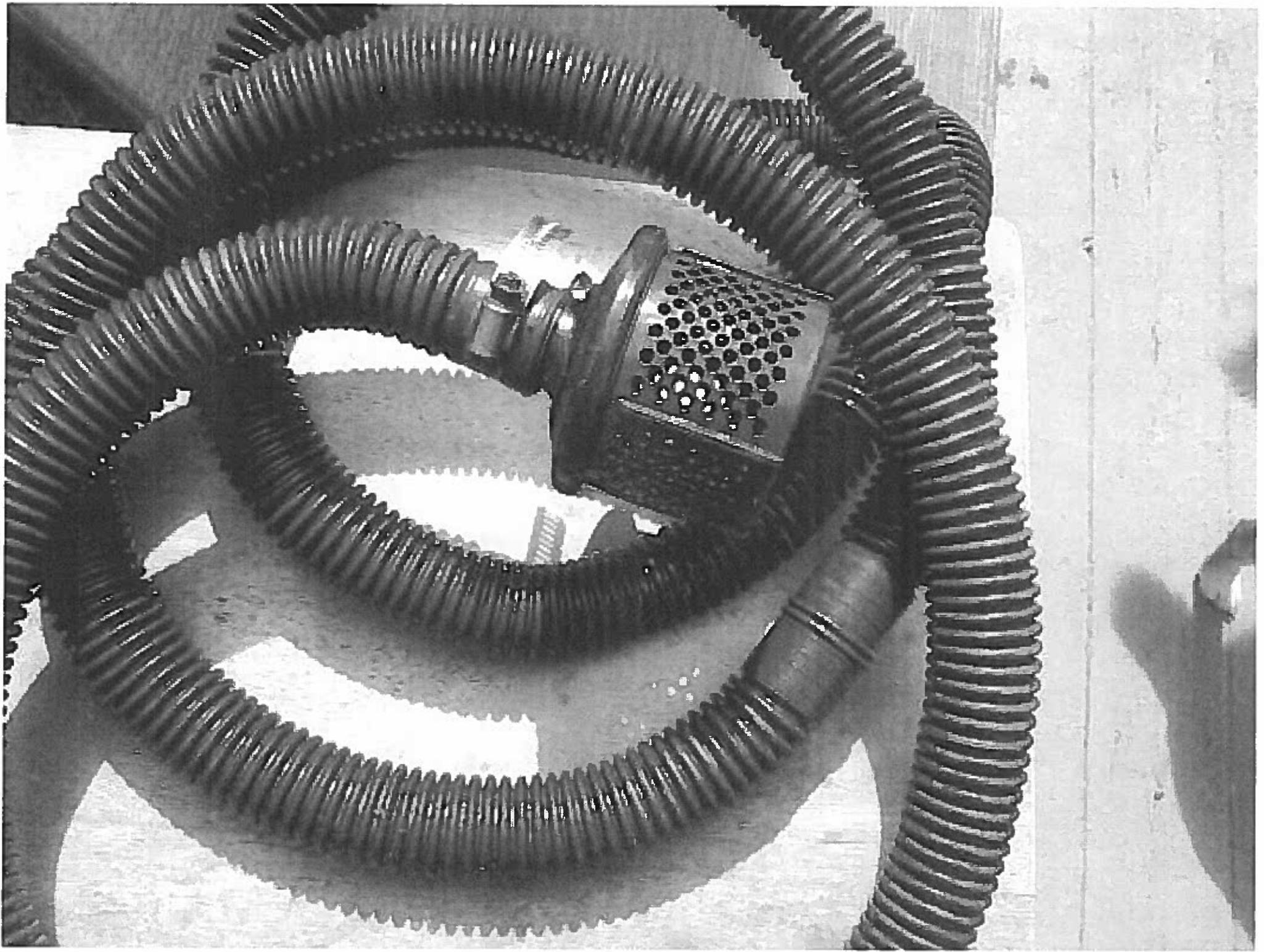
This permit is valid for the calendar year approved. Renewal of this permit beyond this period requires an annual: a) renewal form, b) lease payment, and c) potential review and inspection of encroachment. All annual lease payments are due by September 30th of preceding calendar year. It is the permittee's responsibility to ensure annual renewal of permit and timely payment of fees.

BY THE PROGRAM MANAGER:


Coeur d'Alene Tribe

3/24/17
Date





Cooley-Denney, Suzy

From: Cooley-Denney, Suzy
Sent: Monday, May 01, 2017 9:47 AM
To: 'mahmer@idl.idaho.gov'
Subject: Application for Permit of 94-9505 (Keefer)
Attachments: 94-9505 (Keefer).pdf

Mike ~

I am currently filling in for Dianne Ball while she is on medical leave.

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above-referenced water right application. A copy of the application is enclosed for your reference.

This is scheduled for publication on May 4 and May 11, 2017 in the Coeur d'Alene Press with a final date for protest to be received in our office by May 22, 2017.

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact Shaun Maxey at this office if you have any questions regarding the application.

~ Suzy

Suzy Cooley-Denney, Paralegal
Office of the Attorney General
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
suzy.cooley-denney@idwr.idaho.gov
(208) 762-2811 (T)
(208) 762-2819 (F)

Cooley-Denney, Suzy

From: Cooley-Denney, Suzy
Sent: Monday, May 01, 2017 9:25 AM
To: kiira.siitari@idfg.idaho.gov; 'June.Bergquist@deq.idaho.gov'
Subject: Application for Permit of 94-9505 (Keefer), 95-17296 (Lawrence Estates) and 95-17301 (George)
Attachments: 94-9505 (Keefer).pdf; 95-17296 (Lawrence Estates).pdf; 95-17301 (George).pdf

Dear Kiira and June ~

I am currently filing in for Dianne Ball while she is on medical leave.

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above-referenced water right applications. A copy of the applications are enclosed for your reference.

These applications are scheduled for publication on May 4th and 11, 2017, in the Coeur d'Alene Press with a final date for protest to be received in our office by May 22, 2017.

Your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact Adam Frederick for application no. 95-17296 or Shaun Maxey for application nos. 94-9405 and 95-17301 at his office if you have any questions regarding the applications.

Thank you.

~ Suzy

Suzy Cooley-Denney, Paralegal
Office of the Attorney General
Idaho Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815
suzy.cooley-denney@ldwr.idaho.gov
(208) 762-2811 (T)
(208) 762-2819 (F)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

94-9505

ARNOLD KEEFER
LAURA KEEFER
PO BOX 154
OSBURN, ID 83849

Point of Diversion L6 (SENE) S12 T47N R03W KOOTENAI County
Source BLACK LAKE Tributary COEUR D'ALENE RIVER

Use: IRRIGATION	03/15 to 10/31	0.04 CFS
Total Diversion:		0.04 CFS

Date Filed: 4/25/2017

Place Of Use: IRRIGATION T47N R03W S12 L6 (SENE)

Total Acres: 0.5

95-17296

LAWRENCE ESTATES
24020 E BROADWAY CT
LIBERTY LAKE, WA 99019

Point of Diversion L5 (NESE) S7 T50N R05W KOOTENAI County
Source GROUND WATER

Use: DOMESTIC	01/01 to 12/31	0.08 CFS
Use: FIRE PROTECTION	01/01 to 12/31	0.17 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Total Diversion:		0.17 CFS

Date Filed: 4/3/2017

Place Of Use: DOMESTIC T50N R05W S7 L5 (NESE) SWSE SESE

Place of Use: STOCKWATER and FIRE PROTECTION same as
DOMESTIC

95-17301

KARL GEORGE
PO BOX 163
HARRISON, ID 83833

Point of Diversion L6 (SWSE) S17 T48N R03W KOOTENAI County
Source GROUND WATER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Use: IRRIGATION	03/15 to 11/15	0.06 CFS
Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Total Diversion:		0.06 CFS

Date Filed: 4/19/2017

Place Of Use: DOMESTIC T48N R03W S17 L6 (SWSE)

Place Of Use: STOCKWATER T48N R03W S17 L6 (SWSE)

Place Of Use: IRRIGATION T48N R03W S17 L6 (SWSE)

Total Acres: 2

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800 or for a full description of the right, please see: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>

Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 5/22/2017. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 5/4/2017 and 5/11/2017



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 28, 2017

ARNOLD KEEFER
LAURA KEEFER
PO BOX 154
OSBURN, ID 83849

Application For Permit No. 94-9505

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A Legal notice of the application has been prepared and is scheduled for publication in the COEUR D'ALENE PRESS on 5/4/2017 and 5/11/2017. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Shaun Maxey
Water Resource Agent, Senior