

RECEIVED

OCT 20 2016

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
STATEMENT OF COMPLETION
FOR SUBMITTING PROOF OF BENEFICIAL USE

FOR OFFICE USE ONLY	
Amt. of Fee \$	50.00
Receipt No.	C102616
Received By	VO
Date Received	10/20/16

The Idaho Department of Water Resources considers this form a statement by the permit holder(s) that development of a water right has been **completed** and that water has been applied to beneficial use to the extent described below. **This form must be accompanied by an examination fee, when necessary, or by a completed Beneficial Use Field Report prepared by a certified water right examiner.** Please refer to the instructions and fee schedule for this form. If ownership of the permit has changed, contact any Department office or visit the Department's website at idwr.idaho.gov for an *Assignment of Permit* form. If you wish to relinquish your permit because you have not established the authorized use of the water and are not applying for an extension, please notify the Department in writing.

- Permit No. 96-09478 Telephone No. 403 612 8091
- Name of Permit Holder(s) Maureen Killoran and Raymond Daniels
- Mailing Address 25942 Highway 2, PO Box 218 City Dover
State ID Zip 83825 Email mekilloran@shaw.ca
- Source of Water Pend Oreille River If **GROUND WATER** (well), Date Drilled mo. n/a / yr. n/a
Well Driller n/a Drilling Permit Number n/a
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. of households) 1 Stockwater (No. and type of stock) n/a
Irrigation (No. of acres) ~1 Other n/a
- Total rate of diversion or storage volume for which proof is submitted 0.03 cfs OR n/a acre-feet.
- Compliance with a measuring device requirement, lockable controlling device requirement, and/or other conditions of permit:
Refer to the approval conditions on your permit and respond accordingly.
The Department will not issue a license if permit conditions are not met.

Measuring Device	Is a measuring device required?	Yes ☐	No ☒
	If yes, has the measuring device been installed?	Yes ☐	No ☐
Lockable Controlling Device	Is a lockable device required to control the diversion?	Yes ☐	No ☒
	If yes, has the lockable device been installed?	Yes ☐	No ☐
Fish Screen	Is a fish screen required?	Yes ☒	No ☐
	If yes, has the fish screen been installed?	Yes ☒	No ☐

Other Conditions of Permit
Do the approval conditions on your permit require you to submit additional information in connection with your proof of beneficial use? If yes, list the conditions below and attach documents with the required information.
see attached sheet Completed? Yes ☒ No ☐
- Fee Enclosed \$ 50 or not applicable ☐. See fee schedule on page 2 of the instructions.
Proof statements filed without an appropriate fee, will be considered incomplete.
- Person to contact to accompany the Department representative during field examination of the water system.
Name John Hansen Telephone Number 208 290 4408
Mailing Address 100 Lakeshore Ave City Dover
State ID Zip 83825 Email sandpointconcierge@nctv.com

The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted and applied to a beneficial use. I understand that any undeveloped portion of the permit is relinquished to the State of Idaho.

Signature of Permit Holder Raymond J Daniel Date 14 October 2016
(Include your title, if on behalf of company or organization)

PEND OREILLE
SUPERVISORY AREA
2550 Highway 2 West
Sandpoint ID 83864
Phone (208) 263-5104
Fax: Area (208) 263-0724
Fax: District (208) 265-7263



GEORGE B. BACON, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS
C. L. "Butch" Otter, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Donna M. Jones, State Controller
Tom Luna, Sup't of Public Instruction

ENCROACHMENT PERMIT NO. L-96-S-2147

Permission is hereby granted to Alan Barrett of 31 Evergreen Buffs Point SW, Calgary, AB-Canada T2Y 4P7 to install and maintain water intake system 120' waterward of AHWM.
Located: Pend Oreille River, Tax D00000320853A, Barrett's Lots, Lot 1, Section 32, Township 57 North, Range 2 West, Boise Meridian, Bonner County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code Title 67, Chapter 52.
3. This permit does not convey the State's title to nor jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee shall indemnify, defend and save harmless, the state, its officers, agents and employees from and against any liability, claims, damages, losses, debts, obligations, judgments, expenses or actions, including reasonable attorneys' fees from action related to this permit. If it becomes necessary for the State to defend any action seeking to impose any such liability, Permittee agrees to pay the State all costs of court and attorneys' fees incurred by the State in effecting such defense in addition to all other sums that the State may be called upon to pay by reason of the entry of a judgment against it in the litigation in which such is asserted.
6. Idaho Code §58-1305(g) and §58-1305(f) requires recordation of this permit in the records of respective county assessor's office as a condition of this permit.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.
8. If the activity authorized herein is not completed on or before the 9th day of August, 2014 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

Instrument # 814903
BONNER COUNTY, SANDPOINT, IDAHO
9-2-2011 09:04:55 No. of Pages: 3
Recorded for: ALAN BARRETT
MARIE SCOTT Fee: \$6.00
Ex-Officio Recorder Deputy
Index to: MISC

ENCROACHMENT PERMIT NO. L-96-S-2147

August 9, 2011

Page two

9. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.
10. Idaho State Water Quality Standards (IDAPA 58.01.02) shall be maintained at all times during and after project start up.
11. Construction barges or other watercraft shall not be grounded on the lakebed for stability.
12. Permittee is responsible for all work done by any contractor. Permittee shall provide contractor with a copy of this permit. Permittee shall ensure any contractor who performs the work is informed of and follows all the terms and conditions of this permit.
13. No equipment, boats, barges or associated machinery shall create petroleum product sheen on the water due to petroleum products handling, use or storage. The operators shall have petroleum absorbent pads on hand and also have the Emergency Response Team phone number, 1-800-632-8000, on hand should there be a release of any kind.
14. Removal and proper disposal of any preexisting or abandoned facilities is a condition of this permit.
15. This permit supersedes and voids any permit previously issued for this property.
16. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses by the U.S. Environmental Protection Agency (EPA). All treated wood materials shall be produced in compliance with "Best Management Practices (BMPs) For the Use of Treated Wood in Aquatic and other Sensitive Environments" issued by the Western Wood Preservers Institute (WWPI), 2006. Treated materials not in contact with the water shall be completely dry before use near navigable waters. Use of CCA treated wood shall adhere to the EPA regulations regarding use of arsenate treated wood. **Contact Idaho Department of Environmental Quality at (208)769-1422** for information on acceptable treatment methods and materials.
17. All construction material must be stockpiled landward of the artificial high water mark.
18. Operation of excavation equipment will not be allowed below the artificial high water mark without prior authorization. Equipment may be operated only on dry land above the present level of the lake.
19. The Permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
20. All construction will be done according to the specifications detailed in the attached design plan.
21. The disturbed portion of the lakebed shall be shaped to its original contour upon completion of the project.
22. Excavated material shall be sidecast to only one side of the trench.
23. Excavated material shall be replaced in the trench.
24. Excavated material not replaced shall be removed to an area above the artificial high water mark and in a position such that it will not reenter the lake.

ENCROACHMENT PERMIT NO. L-96-S-2147

August 9, 2011

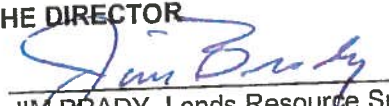
Page three

25. The pipeline intake should be screened in a manner that would create approach velocities of not more than **0.5 feet per second** and a maximum screen mesh diameter of one-quarter inch.
26. Waterline shall be anchored to the bed of the lake with a nontoxic type of weight.
27. The Permittee must be in compliance with all Water Resource laws.
28. No water shall be diverted by the system until valid water or appropriation permit is obtained from the Department of Water Resources.
29. As current EPA requirements dictate that disinfecting and filtration systems are to be used for minimum treatment by surface water purveyors, the department recommends that small, domestic surface water users do likewise.
30. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.
31. All wood chips, fabric, pipe and other construction waste shall be contained and removed from the lake upon completion of project.
32. If any excavation occurs the operator must comply with the provisions of the Underground Facilities Damage Prevention Law (title 55, chapters 2201-2210, Idaho Code). The one-call locator service number is 1-800-342-1585.
33. The Permittee or operator shall have a copy of this permit available on site for inspection at all times during construction.

UPON TRANSFER OF THIS REAL PROPERTY, YOU ARE REQUIRED TO NOTIFY THIS OFFICE OF THE SUBSEQUENT NAME CHANGE (SEE ENCLOSURE).

FOR THE DIRECTOR

By:

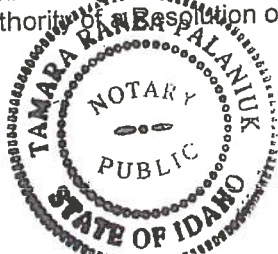

JIM BRADY, Lands Resource Specialist - Senior
Minerals & Navigable Waters – Pend Oreille Lake Area

STATE OF IDAHO)

COUNTY OF BONNER)

) ss

On August 9, 2011, personally appeared before me Jim Brady, whose identity is personally known to me and who by me duly affirmed that he is the Lands Resource Specialist - Senior, Minerals & Navigable Waters – Pend Oreille Lake Area of the Idaho Department of Lands, and acknowledged that the foregoing document was signed by him in behalf of said state agency by authority of a Resolution of the State Land Board.




Notary Public for Idaho Department of Lands
My commission expires on 12/31/2014