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Ident. No. 95-17190

AUG 10 2016

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) POWDERHORN BAY WATER ASSN Phone 509-448-1004
 Mailing address 5110 S DEARBORN SPOKANE WA 99223 Email brucemc1360@msn.com
 Name connector (check one): ☐ and ☐ or ☐ and/or
2. Name of representative, if any _____ Phone _____
 Mailing address _____ 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 providing authority to sign for the applicant.
3. Source of water supply GROUNDWATER which is a tributary of _____
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
48N	04W	23	2		NW	NW	KOOTENAI	GROUNDWATER	PRE 1987 WELL

5. Water will be used for the following purposes:
 Amount 0.06 CFS for DOMESTIC purposes from 1/1 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) 0.06 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. PUMP IN WELL FOR COMMUNITY SYSTEM
- 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 11. 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? PRE 1987; drilling firm 145 FT DEEP, PUMP SET AT 141; well was drilled for (well owner) H2O; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 50.00 Received by NS Receipt No. N032110 Date 8-10-16
50.00 NS N032111 8-10-16

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

- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; must complete and attach the [Municipal Water Right Application Checklist](#).
- d. Domestic; show number of households 2
- e. Other; describe fully. DOMESTIC WITH UP TO 1/2 ACRE OF IRRIGATION PER HOME

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
48N	04W	23						D											
48N	04W	14											D						
48N	04W	22	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? _____

11. a. Who owns the property at the point of diversion? APPLICANT

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

c. 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. APPLICANT IS APPLYING TO SERVE 2 HOMES THAT ARE NOT COVERED UNDER CLAIM 95-8207. HOMES ARE ALREADY HOOKED AND USING WATER.

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.



Signature of Applicant

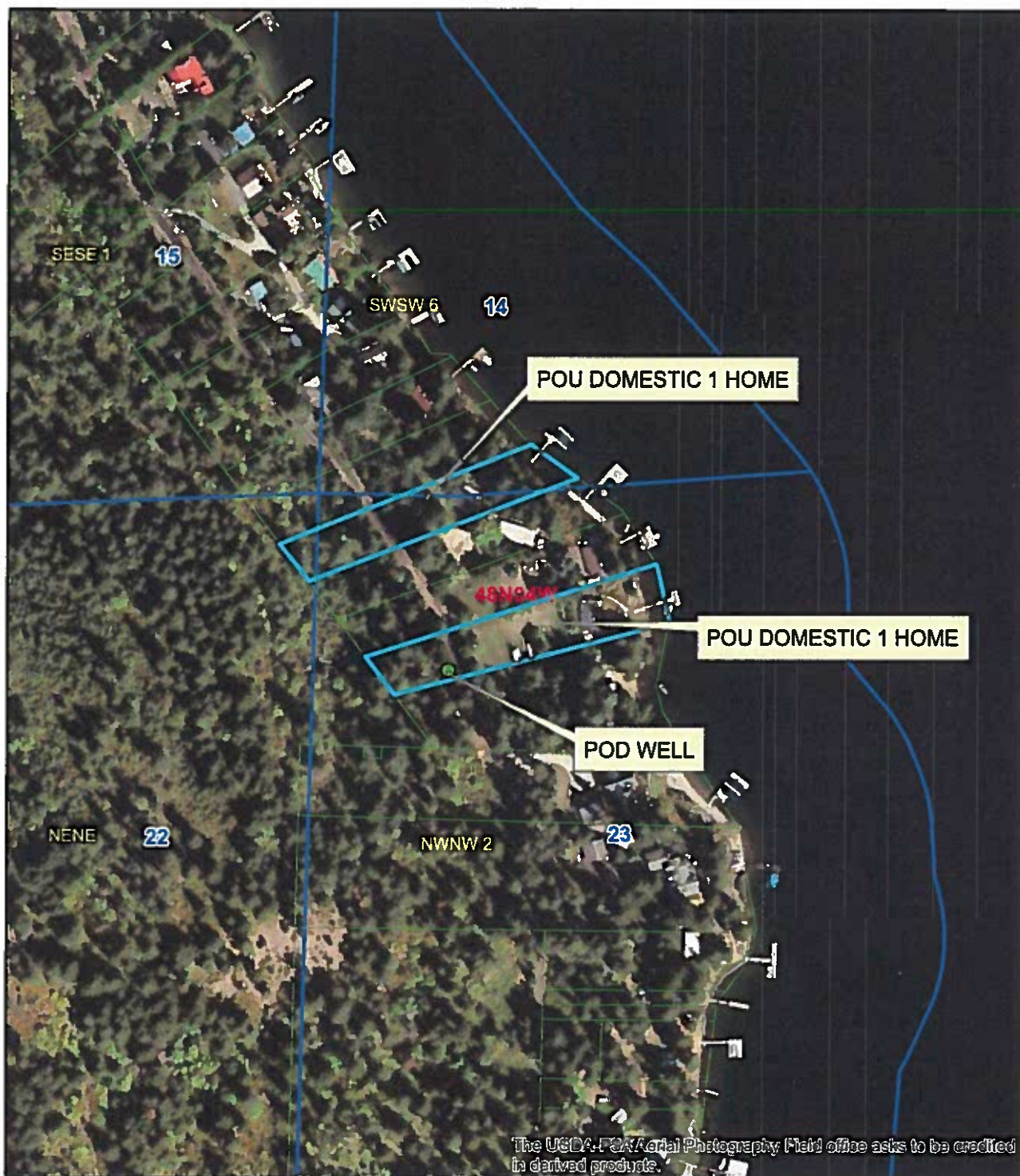
Bruce A. McEachern

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

POWDERHORN BAY WATER ASSN APPLICATION MAP



Legend

- Taxlots
- Township/Range
- Sections
- QQ

0 0.025 0.05 0.1 Miles



ARTICLES OF INCORPORATION

POWDERHORN BAY COOPERATIVE WATER ASSOCIATION, INC.

We, the undersigned, do hereby voluntarily associate ourselves together for the purpose of forming a cooperative water association without capital stock, under the provisions of Chapter 10 of Title 30 of the Idaho Code.

ARTICLE I.

The name of the Association shall be POWDERHORN BAY COOPERATIVE WATER ASSOCIATION, INC.

ARTICLE II.

The Association is formed to acquire, by appropriation, purchase, condemnation or otherwise, the ownership of water, water rights and water privileges in Kootenai County, Idaho, and to hold, use, sell or lease the same or any part thereof, for domestic, irrigating, manufacture or other beneficial uses; also to acquire by purchase, condemnation or otherwise, the ownership of rights-of-way over land in said County, so far as may be necessary for the construction, maintenance and use of dams, reservoirs, wells, pumps, pipes, conduits and aqueducts necessary to collect, store, convey and distribute water for each and all of the aforesaid purposes, and to purchase, own, hold, construct, maintain and use such structures, waterworks and wells, and sell or lease the same, or any part thereof.

ARTICLE III.

This Association shall have the following powers:

- (a) To borrow money without limitation as to amount of corporative indebtedness or liability; to give a lien on any of its property as security therefor in any manner permitted by law; and to make advance payments and advances to members.
- (b) To act as the agent or representative of any member or members in any of the activities mentioned in Article II hereof.
- (c) To buy, lease, hold and exercise all privileges of ownership over such real or personal property as may be necessary or convenient for the conduct and operation of the business of the association, or incidental thereto.
- (d) To draw, make, accept, endorse, guarantee, execute and issue promissory notes, bills of exchange, drafts, warrants, certificates and all kinds of obligations and negotiable or transferable instruments for any purpose that is deemed to further the objections for which this association is formed and to give a lien on any of its property as security therefor.

- (e) To have and exercise, in addition to the foregoing, all powers, privileges and rights conferred on ordinary corporations and cooperative associations by the laws of this state and all powers and rights incidental or conducive to carrying out the purposes for which this association is formed, except such as are inconsistent with the express provisions of the Act under which this association is formed, and to do any such things anywhere; but the enumeration of the foregoing powers shall not be held to limit or restrict in any manner the general powers which may by law be possessed by this association, all of which are hereby expressly claimed.

ARTICLE IV.

The association shall have its principal place of business at Harrison, Idaho.

ARTICLE V.

This association shall have perpetual existence.

ARTICLE VI.

The number of directors of this association shall be five. Of the first elected board of directors two shall be elected for one year; two shall be elected for two years; and one shall be elected for one year. Thereafter all directors shall be elected for three years. The names and addresses of those who are to serve as directors until the first annual meeting of the members or until their successors are elected and qualified are:

<u>NAME</u>	<u>ADDRESS</u>
Arthur Jensen	Harrison, Idaho
Vernon Jensen	Harrison, Idaho
<u>Phil Lafer</u>	<u>S.E. 310 Grant, Pullman, Wn. 99163</u>
<u>Marilyn M. Lafer</u>	<u>Same</u>
<u>Kathleen E. Irwin</u>	<u>S.E. 550 Derby, Pullman, Wn. 99163</u>

Each of the above named incorporators has subscribed for one membership.

ARTICLE VII.

This association shall not have any capital stock, but shall admit applicants to membership on such uniform conditions as may be prescribed by the board of directors of the association, or in its By-Laws. This association shall be operated on a cooperative basis for the mutual benefit of its members. Voting rights shall be controlled by the By-Laws.

ARTICLE VIII.

The Articles may be amended by majority vote of its members at any meeting specially called for that purpose. By-Laws may be amended by a majority vote of the board of directors, or of the members at any meeting specially called for that purpose.

In Witness Whereof, we have set our hand and seal this 23rd day of August, 1977.

Phil Lafer
Marilyn M. Lafer
Vernon Jensen
Arthur Jensen
Kathleen E. Irwin

STATE OF IDAHO)

ss:

County of Kootenai)

On this 23rd day of August, 1977, before me, the undersigned Notary Public, personally appeared Arthur Jensen, Vernon Jensen, Phil Lafer, Marilyn M. Lafer, and Kathleen E. Irwin known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

In Witness Whereof, I have hereunto set my hand and seal the day and year first above written.

Diola C. Flick
Notary Public for Idaho
Residing at Coeur d'Alene

SECRETARY OF STATE
STATE CAPITAL
BOISE, IDAHO

56372

No.

Articles of Incorporation

of

POWDERHORN DAY COOPEPATIVE WATER ASSOCIATION, INC.

~~Harrison, Idaho~~
Place of business Terrebonne
Existence Chapter 10
Capital Stock _____

STATE OF IDAHO
Department of State
Boise, Idaho

Approved, filed and admitted to the
records of articles of Incorporation
of the State of Idaho and certificate
issued this August 27
day of 8:47 A. 19____
at _____ o'clock _____ M.

FEES PAID	15.00
Filing	\$ 1.20
Recording	_____
Cert. Copy	_____
Certificate	_____
License Tax	_____
	16.20
TOTAL \$	_____

Pete T. Cenarrusa

SECRETARY OF STATE

By

Scott W. Read

CORPORATION CLERK

Scott W. Read

P.O. Box A

Coeur d'Alene, Idaho

Ball, Dianne

From: Ball, Dianne
Sent: Thursday, September 08, 2016 9:54 AM
To: 'Fredericks, Holly'
Cc: Frederick, Adam; Case, Morgan
Subject: Application for Permit No. 95-17190, 95-17195, 95-17198
Attachments: LegalNotice 09-08-16 CdA e-mail 95-17190, 17195, 17198.doc

Good morning, Holly,

Please publish the enclosed legal notice on the dates indicated, September 15 and 22, 2016, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

This should be very close to press ready – for 2-column, 8pt, Century Old Style font. It might even be close enough to just copy and paste, with very little modification required.

Please note the area(s) under **USE** containing dates and water amounts that are offset and lined up. Our legal should appear in this format.

Please also send a proof/preview copy for my review before this actually goes to press.

If you have any questions, please contact me as early as possible.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 10/3/2016. Your cooperation is appreciated.

A special thanks, Holly, for all you do to see that our legals look so great. It's a pleasure to work with you.

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

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

95-17190

POWDERHORN BAY WATER ASSN
C/O BRUCE MCEACHRAN
5110 S DEARBORN RD
SPOKANE, WA 99223
Point of Diversion L2(NWNW) S23 T48N R04W KOOTENAI CO
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.06 CFS
Total Diversion: 0.06 CFS
Date Filed: 8/10/2016
Place of Use: DOMESTIC T48N R04W S14 SWSW
T48N R04W S22 NENE
T48N R04W S23 NWNW
Domestic use is for 2 homes.

95-17195

LONE MOUNTAIN WATER ASSN INC
10063 NAVION DR
HAYDEN, ID 83835
Point of Diversion SESE S2 T52N R04W KOOTENAI CO
Source GROUND WATER
Use: DOMESTIC 01/01 to 12/31 0.16 CFS
Total Diversion: 0.16 CFS
Date Filed: 8/17/2016
Place of Use: DOMESTIC T52N R04W S1 SWNW SENW NESW
NWSW SWSW
T52N R04W S2 SENE NESE NWSE SWSE SESE
Domestic use is for 11 homes with irrigation of up to 1/2 acre per home.

95-17198

CEDAR MOUNTAIN FARM
25249 N HATCH RD
ATHOL, ID 83801
HATCH FAMILY HERITAGE LLC
25249 N HATCH RD
ATHOL, ID 83801
Point of Diversion SWNE S35 T53N R03W KOOTENAI CO
Source GROUND WATER
Use: COMMERCIAL 01/01 to 12/31 0.13 CFS
Use: IRRIGATION 04/01 to 10/31 0.15 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS
Date Filed: 8/28/2016
Place of Use: COMMERCIAL T53N R03W S35 NWNE SWNE
Place of Use: IRRIGATION T53N R03W S35 NWNE SWNE
Place of Use: STOCKWATER T53N R03W S35 NWNE SWNE
SENE
Total Acres: 5
Commercial use is for 6 guest cabins, 1 Bed and Breakfast, and 1 caretakers house
Stockwater use is for 10 horses.
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(s), 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 10/3/2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director
Published on 9/15/2016 and 9/22/2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 FAX: (208) 762-2819 www.idwr.idaho.gov

September 8, 2016

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

POWDERHORN BAY WATER ASSN
C/O BRUCE MCEACHRAN
5110 S DEARBORN RD
SPOKANE, WA 99223

Application For Permit No. 95-17190

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 9/15/2016 and 9/22/2016. 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,

Adam Frederick

Adam Frederick
Senior Water Resource Agent