

RECEIVED

FEB 16 2015
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.	C101523
Received By	AKS
Date Received	2/16/16

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. 95-13894 Telephone No. 208-664-2437
- Name of Permit Holder(s) Robert J Schwartz
- Mailing Address 7706 W Old Cabin Road City Worley
State ID Zip 83876 Email bschw66252@aol.com
- Source of Water Wet Lake pump If **GROUND WATER** (well), Date Drilled mo. 06 / yr. 2000
Well Driller H2O Drilling Permit Number _____
- Extent of use(s) completed as authorized by the water right permit:
Domestic (No. of households) 1 Stockwater (No. and type of stock) 0
Irrigation (No. of acres) 1.0 Other Lawn Sprinkler System Project Completed July 2011
- Total rate of diversion or storage volume for which proof is submitted 20 cfs OR _____ 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.

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 Robert Schwartz Telephone Number 208 664 2437
Mailing Address 7706 W Old Cabin Rd City Worley
State ID Zip 83876 Email bschw66252@aol.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 Robert J Schwartz Date 2/8/16
(Include your title, if on behalf of company or organization)

MICA SUPERVISORY AREA
3258 W. Industrial Loop
Coeur d'Alene ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



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 NUMBER L-95-S-4528A

Permission is hereby granted to Robert J. and Jane Schwartz of 5124 S. Sunward Dr., Spokane, WA 99223 to install and maintain install a water intake line extending approximately 123 feet waterward of the OHWM on top of the lakebed attached to a submersible pump; existing 4'x24' pier, 3'x20' ramp, 8'x10' approach & 34'x21' single-slip float dock w/ 3 piling. Located: Coeur d'Alene Lake, Tax 22582, Parcel 00580000001B, in Lot 1, Benpoint Addition; Govt. Lot 2, Section 20, Township 48 North, Range 4 West; Boise Meridian; Kootenai 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 §58-1306(e) 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 1st day of February, 2014 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

CLIFFORD T. HAYES 3P I 2307572000
KOOTENAI CO. RECORDER Page 1 of 3
BBB Date 03/28/2011 Time 14:17:47
REC-REQ OF ROBERT SCHWARTZ
RECORDING FEE: 16.00
2307572000 XX

ENCROACHMENT PERMIT NUMBER L-95-S-4528A

March 1, 2011

Page two

9. This permit does not relieve the Permittee from obtaining additional local or federal permits as required. In addition, nothing in permit shall excuse a person from obtaining any additional approvals lawfully required by federal, local or other state agencies.
10. The Permittee or operator shall have a copy of this permit available on site for inspection at all times during construction.
11. Removal and proper disposal of any preexisting or abandoned facilities is a condition of this permit.
12. This permit supersedes and voids any permit previously issued for this property.
13. 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 Environments" issued by the Western Wood Preservers Institute (WWPI), July 1996. Treated materials not in contact with the water shall be completely dry before use near navigable waters. **Contact Idaho Department of Environmental Quality at (208)769-1422** for information on acceptable treatment methods and materials.
14. All construction material including maintenance material must be stockpiled landward of the ordinary high water mark.
15. 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.
16. All construction will be done according to the specifications detailed in the attached design plan.
17. The water intake shall be screened in a manner that would create approach velocities of not more than **0.10 feet per second** and a maximum screen diameter of one-quarter inch.
18. Waterline shall be anchored to the bed of the lake with a nontoxic type of weight.
19. The Permittee must be in compliance with all Water Resource laws.
20. No water shall be diverted by the system until valid water or appropriation permit is obtained from the Department of Water Resources.
21. 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.
22. 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.

ENCROACHMENT PERMIT NUMBER L-95-S-4528A

March 1, 2011

Page three

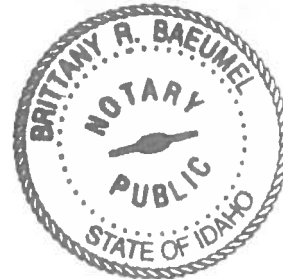
23. All wood and/or plastic chips and other construction waste shall be removed from the lake upon completion of project.
24. If any excavation occurs the operator must comply with the provisions of the Underground Facilities Damage Prevention Law (title 55, chapters 2201-2210, Idaho Code). The one-call locator service number is 1-800-342-1585.

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

FOR THE DIRECTOR

By: Carl Washburn
CARL WASHBURN, Specialist
Navigable Waters and Submerged Lands Leasing

STATE OF IDAHO)
) ss
COUNTY OF KOOTENAI)



On March 1, 2011, personally appeared before me Carl Washburn, whose identity is personally known to me and who by me duly affirmed that he is the Specialist Navigable Waters and Submerged Lands Leasing 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.

Brittany R. Baeumel
Notary Public for Idaho Department of Lands
My commission expires on 03/14/14