

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09244

Priority: August 27, 2004

Maximum Diversion Rate: 2.00 CFS

This is to certify, that NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	2.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW1/4NW1/4NE1/4 Sec. 11, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER NW1/4NE1/4 Sec. 14, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER L7 (SW1/4SE1/4) Sec. 15, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER SE1/4SW1/4 Sec. 23, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER NE1/4SE1/4 Sec. 23, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER NE1/4SE1/4 Sec. 23, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER NE1/4SE1/4 Sec. 23, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER SW1/4SE1/4 Sec. 23, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER NW1/4SW1/4 Sec. 24, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER SE1/4SE1/4 Sec. 23, Twp 51N, Rge 05W, B.M. KOOTENAI County

GROUND WATER NE1/4SW1/4 Sec. 32, Twp 51N, Rge 05W, B.M. KOOTENAI County

GROUND WATER SE1/4SW1/4 Sec. 32, Twp 51N, Rge 05W, B.M. KOOTENAI County

GROUND WATER SE1/4NE1/4 Sec. 7, Twp 52N, Rge 03W, B.M. KOOTENAI County

GROUND WATER SW1/4NW1/4 Sec. 8, Twp 52N, Rge 03W, B.M. KOOTENAI County

GROUND WATER NW1/4SE1/4 Sec. 18, Twp 52N, Rge 03W, B.M. KOOTENAI County

GROUND WATER L1 (SE1/4NE1/4) Sec. 6, Twp 52N, Rge 04W, B.M. KOOTENAI County

GROUND WATER SE1/4SE1/4 Sec. 17, Twp 52N, Rge 04W, B.M. KOOTENAI County

GROUND WATER SE1/4SE1/4 Sec. 17, Twp 52N, Rge 04W, B.M. KOOTENAI County

GROUND WATER NE1/4SE1/4 Sec. 28, Twp 52N, Rge 04W, B.M. KOOTENAI County

GROUND WATER SE1/4SW1/4SW1/4 Sec. 2, Twp 51N, Rge 04W, B.M. KOOTENAI County

GROUND WATER NW1/4NE1/4 Sec. 11, Twp 51N, Rge 04W, B.M. KOOTENAI County

LOCATION OF PLACE OF USE: SEE CONDITIONS OF APPROVAL

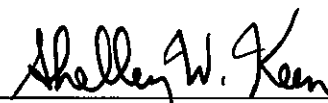
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CONDITIONS OF APPROVAL

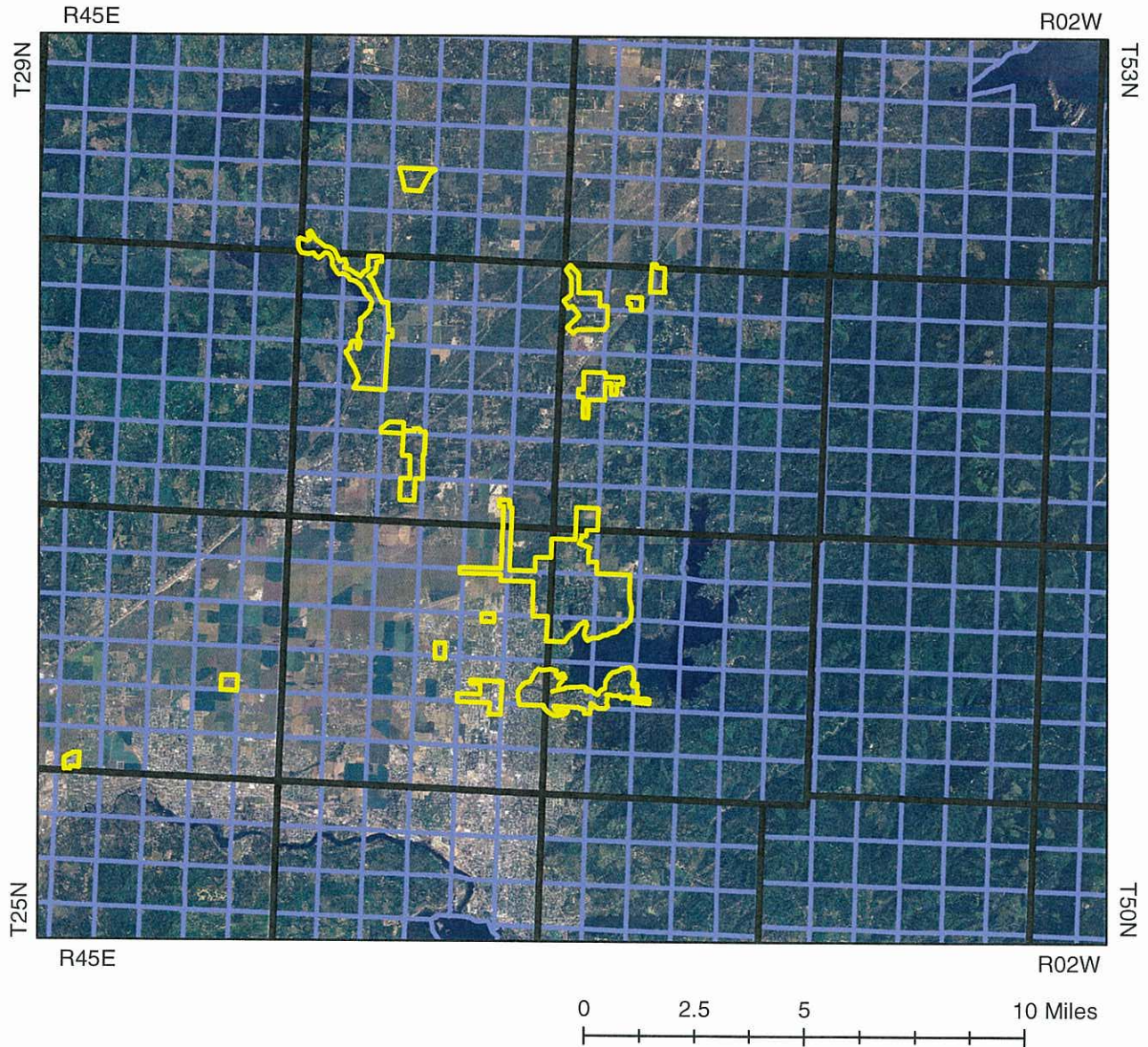
1. Proof of application of water to beneficial use shall be submitted on or before **September 1, 2010**.
2. Subject to all prior water rights.
3. Place of use is within the service area of North Kootenai Water District as provided for under Idaho law. The place of use is generally located within Sections 6, 7, 8, 17, 18, 19, 20, 21, 30, Township 51N, Range 3W; Sections 1, 2, 3, 11, 12, 14, 15, 22, 23, 24, 26, Township 51N, Range 4W; Section 23 & 32, Township 51N, Range 5W; Sections 4, 5, 6, 7, 8, 17, 18, 19, 20, Township 52N, Range 3W; Sections 5, 6, 8, 9, 16, 17, 21, 28, 33, 35, 36, Township 52N, Range 4W; Sections 32 & 33, Township 53N, Range 3W; Sections 28 & 31, Township 53N, Range 4W; and Section 36, Township 53N, Range 5W.
4. A map depicting the place of use boundary for this water right at the time of this approval is attached to this document for illustrative purposes.
5. This right authorizes the diversion of ground water within the Rathdrum Prairie Ground Water Management Area (RPGWMA). Use of water under this right shall be subject to the provisions of the management plan approved by the director for the RPGWMA.
6. When notified by the Department, the right holder shall record the quantity of water diverted and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code, and/or the management plan for the Rathdrum Prairie Ground Water Management Area.
7. When notified by the Department, the right holder shall install and maintain measuring devices of a type acceptable to the Department as part of the diverting works.
8. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
9. In connection with the proof of beneficial use submitted for this permit, the permit holder shall also submit a report showing the total annual volume, the maximum daily volume, and the maximum instantaneous rate of flow diverted from the point of diversion authorized for this permit during the development period. The report shall also show the maximum instantaneous rate of diversion, either measured or reasonably estimated by a qualified professional engineer, geologist, or certified water rights examiner, for the entire North Kootenai Water District municipal water system. The report shall also describe and explain how water diverted under this permit provides an additional increment of beneficial use of water for the North Kootenai Water District municipal water system as opposed to an alternative point of diversion for prior water rights already held and used by North Kootenai Water District for its municipal water system.
10. This right does not grant any right-of-way or easement across the land of another.
11. The diversion and use of water described in this order is subject to additional conditions and limitations agreed to by both Sierra Club/Protestants, and the water right holder under a separate agreement to which the Department is not a party and which is independently enforceable by a court of law. A copy of the separate agreement shall be available in the water right record maintained by the Department.
12. This water right is issued subject to the continuing requirements for the water right holder to develop and implement a conservation plan under Section 3.2.1.3 of the Management Plan for the Rathdrum Prairie Ground Water Management Area (September 15, 2005).

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 3rd day of September, 2009.


for GARY SPACKMAN, Interim Director

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Water Service Area Boundary for North Kootenai Water District



Legend

-  Water Service Area Boundary
-  Townships
-  PLS Sections

