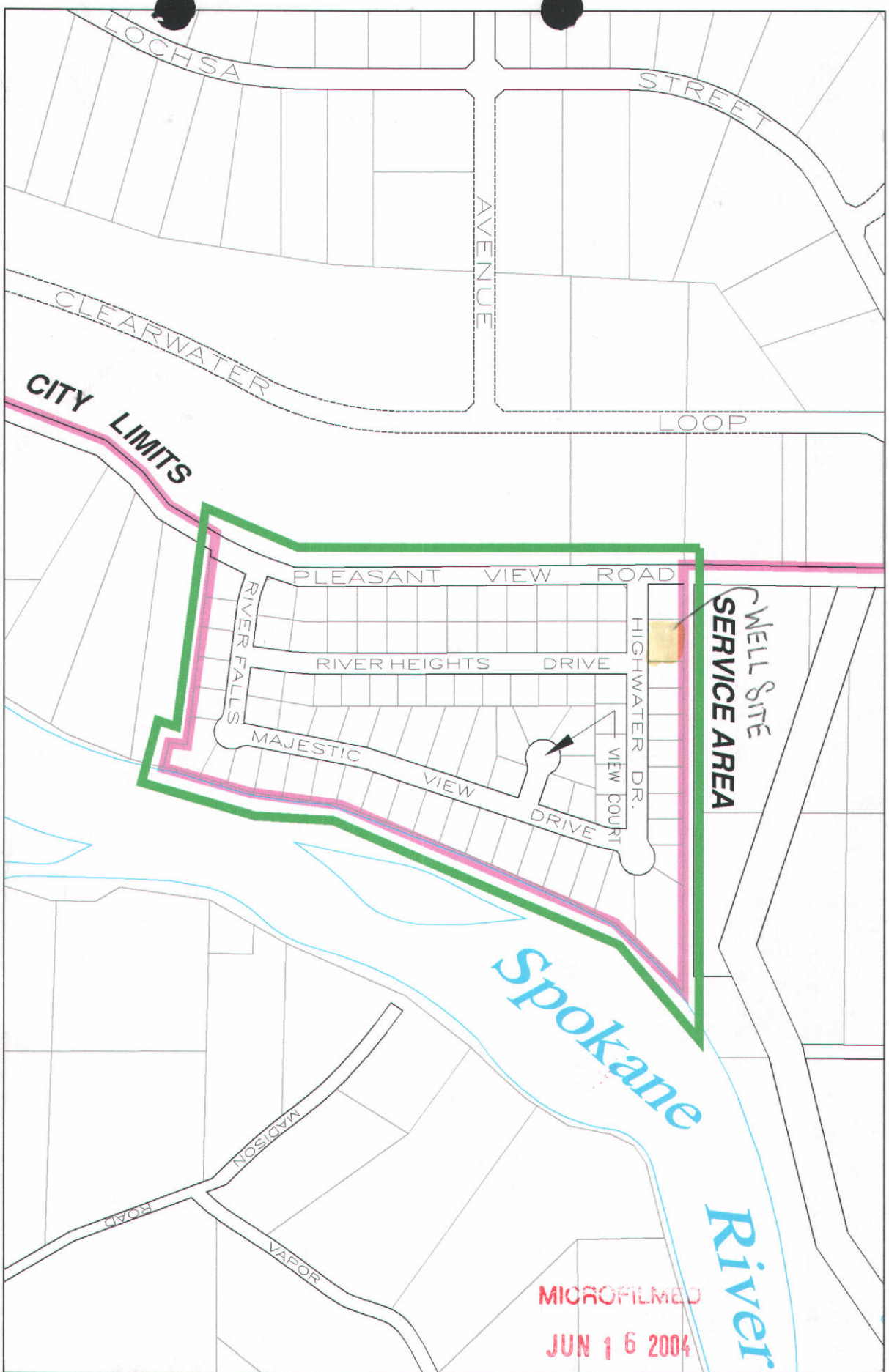




MICROFILMED
JUN 16 2004



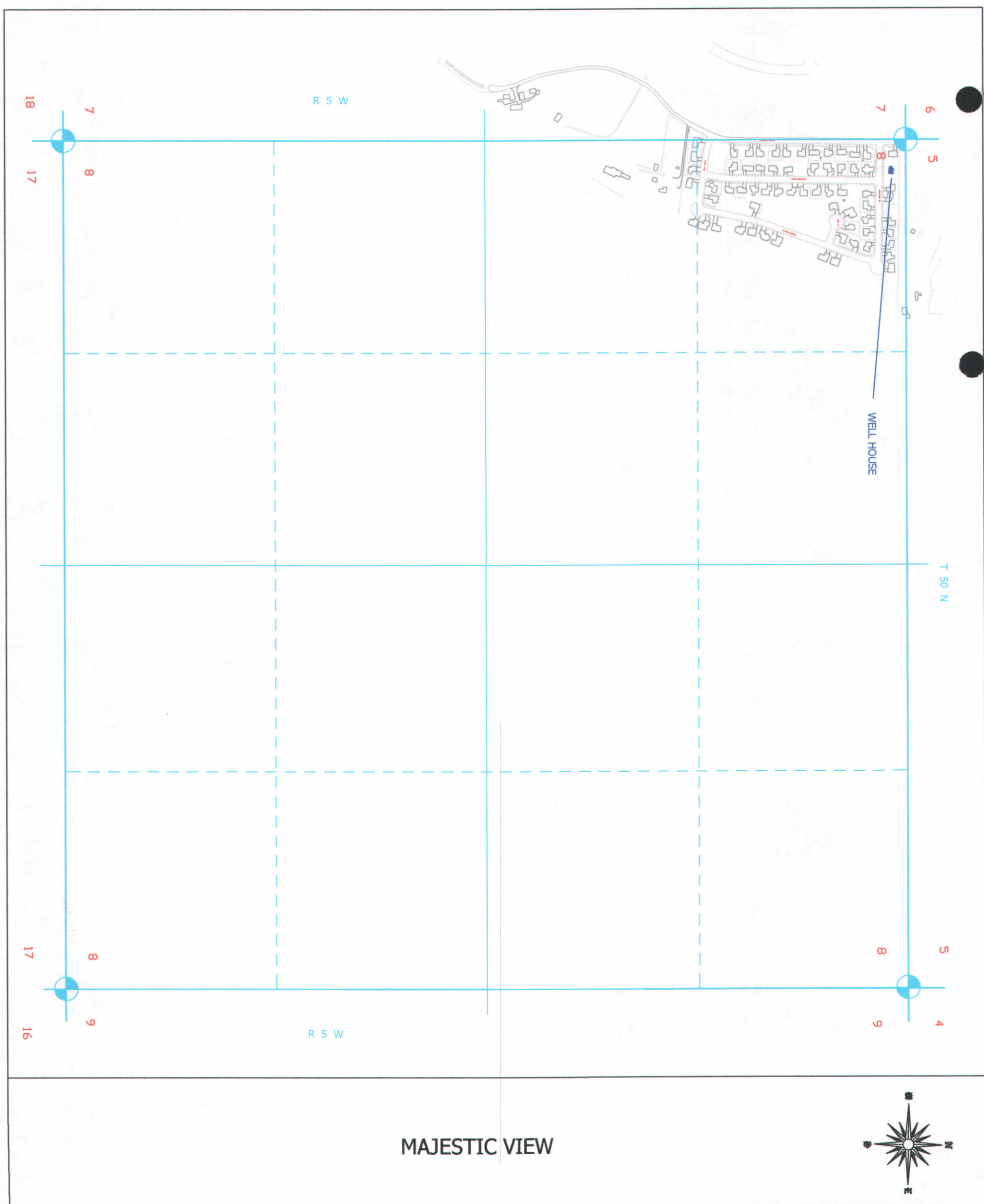
408 SPOKANE STREET
POST FALLS, IDAHO 83854
(208) 773-3511

Majestic View Water Service Area

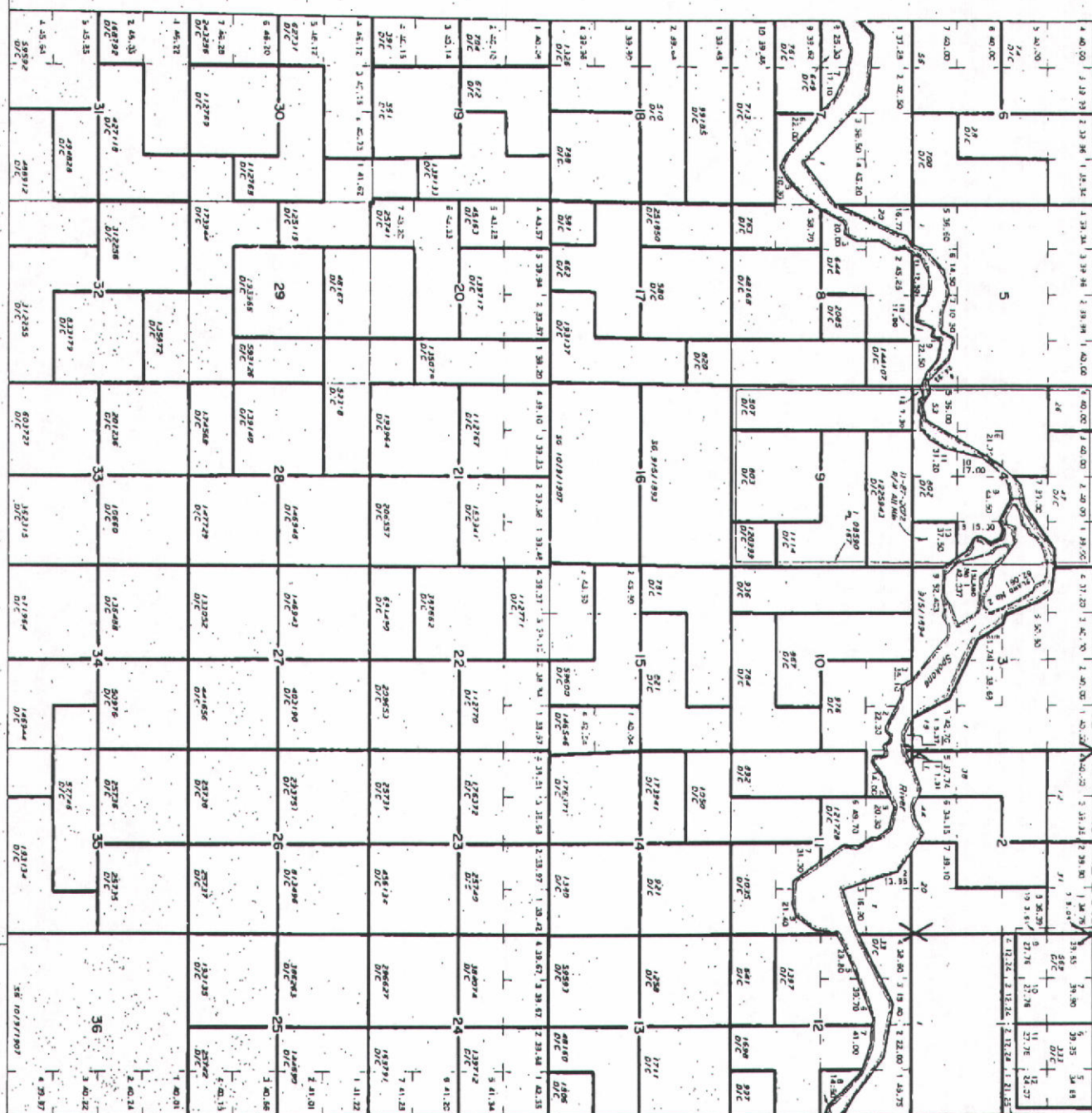
DWG No. 00 SCALE: 1" = 400' SHEET 1 of 1

FILE: Majestic View Water Service Area DATE: April 2, 2002

ENGINEERING



TOWNSHIP 50 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055
COLORADO DISTRICT

MICROFILMED

15 2004

MT PLAT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

INDEX TO SEGREGATED TRACTS

TRACT NO.	ORIGINAL SURVEY	SUBDIVISION
1	1	1
2	2	2
3	3	3
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9	9	9
10	10	10
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13	13	13
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16	16	16
17	17	17
18	18	18
19	19	19
20	20	20
21	21	21
22	22	22
23	23	23
24	24	24
25	25	25
26	26	26
27	27	27
28	28	28
29	29	29
30	30	30
31	31	31
32	32	32
33	33	33
34	34	34
35	35	35
36	36	36

1.00 AC. 1/23/1907 (1/23/1907)

Completed 9/23/1907. All 90 Surface Report by BLM

FOR OWNERS EFFECTING DISPOSAL OF USE OF
UNDEVELOPED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

COMMENT TO COMMENT TO

USE PLATS

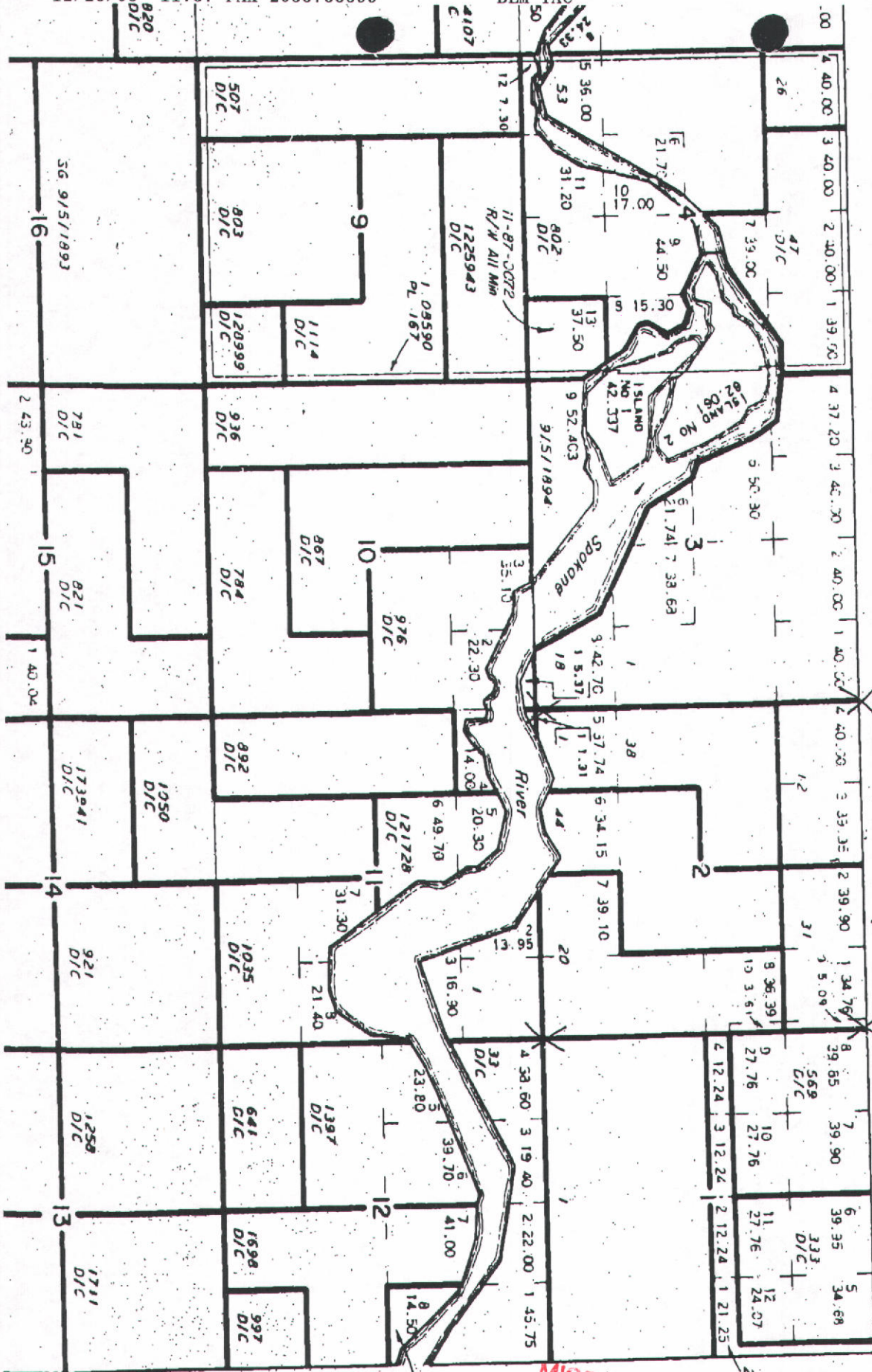
THE NOTATION SHOWN ON WITHDRAWALS REPRESENTS THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE

50 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT

*15000
8053
5000
10200*



MICROFILMED
JUN 16 2004

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09147

Priority: July 02, 2002

Maximum Diversion Rate: 5.79 CFS

This is to certify, that CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

has applied for an amendment of a permit and the amendment is APPROVED for development of water as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	5.79 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	NW¼NE¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW¼NE¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NE¼NE¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW¼SW¼	Sec. 1, Twp 50N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SW¼SE¼	Sec. 27, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	L1 (NE¼NE¼)	Sec. 2, Twp 50N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	SW¼SE¼	Sec. 27, Twp 51N, Rge 05W, B.M., KOOTENAI County
GROUND WATER	NW¼NW¼	Sec. 34, Twp 51N, Rge 05W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2008**.
2. Subject to all prior water rights.
3. 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 any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.

MICROFILMED

JUN 15 2004

State of Idaho
Department of Water Resources
Amendment of Permit

NO. 95-09147

8. Rights 95-04457, 95-04458, 95-04460, 95-07436, 95-08048, 95-08862, and 95-09137 are also diverted through the points of diversion described above.

This amendment of permit is issued pursuant to the provisions of Section 42-211, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of February, 2004.


for KARL J DREHER, Director

MICROFILMED

JUN 16 2004

Fee. \$50.00
 Receipt NO 16025
 Received by dp
 Date 12/2/03

70968

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
 DEC 02 2003
 IDWR/North

Name of Applicant City of Post Falls Phone (208)777-9857

Mailing address 408 North Spokane Street, Post Falls, Idaho 83854

I am the owner and the holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-09147, and request that the permit map be amended and/or changed as follows.

Purpose of Amendment:

1. ☒ Change point of diversion ☒ Add diversion point (s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

1. Point of diversion: NW 1/4 NW 1/4 1/4, Section 8, Township 50N, Range 05W, B.M.,
 County of Kootenai. Other points of diversion See Attached.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 5.79 cfs for Municipal purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
 (cfs/ac-ft) (water use) (Begin Month) End Month)

Amount for purposes from to (both dates inclusive)
 (cfs/ac-ft) (water use) (Begin Month) End Month)

3. Place of use of land to be irrigated: Within City Limits of City of Post Falls

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total Acres _____

4. a. Who owns the property at the point of diversion? City of Post Falls

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

MICROFILMED

JUN 15 2004

Show $\frac{1}{4}$ $\frac{1}{4}$, section, township, range and ditches. (The smallest subdivision represents 40 acres.)

A blank sheet of graph paper featuring a uniform grid of small squares. The grid consists of 16 columns and 10 rows, creating a total of 160 square units. The lines are thin and black, set against a white background. There are no margins, text, or other markings on the page.

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 2 day of Dec., 2003.

Jerry Culner
Permit Holder Signature (and title, if for a company or organization)
Public Works Superintendent

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Prelim check by _____ Publication prepared by db Date 12/11/03

Published in CDA Press Date 12/18 + 25/03

I, _____, of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 200 .

MICROFILMED

SIGNATURE

JUN 16 2004

CITY OF POST FALLS
408 N SPOKANE STREET
POIST FALLS, IDAHO 83854
208-777-9857
95-9147

Attachment: Other Points of Diversion

LOT	¼	1/4	SECTION	TWP	RANGE	COUNTY	LOCAL NAME
	NE	NE	34	51N	5W	KOOTENAI	WELL 3
	NW	NE	34	51N	5W	KOOTENAI	WELL 2
	NW	NE	34	51N	5W	KOOTENAI	WELL 1
	NW	SW	1	50N	5W	KOOTENAI	WELL 4
	SW	SE	27	51N	5W	KOOTENAI	WELL 5
	NE	NE	2	50N	5W	KOOTENAI	WELL 6
	SW	SE	27	51N	5W	KOOTENAI	WELL 7
	NW	NW	34	51N	5W	KOOTENAI	WELL 8

MICROFILMED

JUN 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09147

Priority: July 02, 2002

Maximum Diversion Rate: 5.79 CFS

This is to certify, that CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

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	5.79 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L1 (NW¼NW¼) Sec. 8, Twp 50N, Rge 05W, B.M., KOOTENAI County

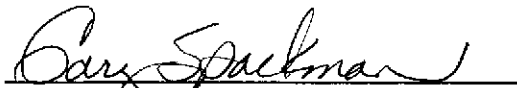
CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2008**.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. Place of use is within the service area of the City of Post Falls municipal water supply system as provided for under Idaho Law.
6. This right does not grant any right-of-way or easement across the land of another.
7. 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 any management plan approved by the director for the RPGWMA. If the director determines that the ground water supply in the RPGWMA is insufficient to meet the demands of prior water rights within the RPGWMA, the director may order the diversion and use of water under this right to be reduced or curtailed until the director determines that there is sufficient ground water available for this right.
8. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of

the Director, affixed at Boise, this 26th day of November, 2003.

MICROFILMED
JUN 16 2004


KARL J DREHER, Director

70062

Ident. No. 95-9147

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

RECEIVED

OCT 30 2003

Department of Water Resources

1. Name of Applicant City of Post Falls Phone 208-777-9857
Post Office address 408 North Spokane Street, Post Falls, Idaho 83854
2. Source of water supply Ground Water which is a tributary of N/A
3. Location of point of diversion is NEW 1/4 of NEW 1/4 of _____ 1/4, Govt. Lot _____
Sec. 8 Township 50N Range 5W B.M. Kootenai County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 5.79 cfs for Municipal purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 5.79 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. (2) 25 hp pump, 8" casing and 8" distribution lines; (1) 125 hp pump (This is a 3 well field)
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 8" inches; proposed depth of well is 170 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? No
 - e. If well is already drilled, when? 1992; Drilling firm H2O Well Service:
Well was drilled for (well owner) Ken Way (City of Post Falls)
7. Time required for completion of works and application of water to proposed beneficial use is 25.4 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity if KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. City of Post Falls
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

MICROFILMED

JUN 16 2004

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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 95-4447, 95-8862, 95-4448
95-4460, 95-7436, 95-8048, 95-9137, 95-9138, 95-9144, 95-9145, 95-9146

11. a. Who owns the property at the point of diversion? City of Post Falls

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

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT ATTACHED ____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

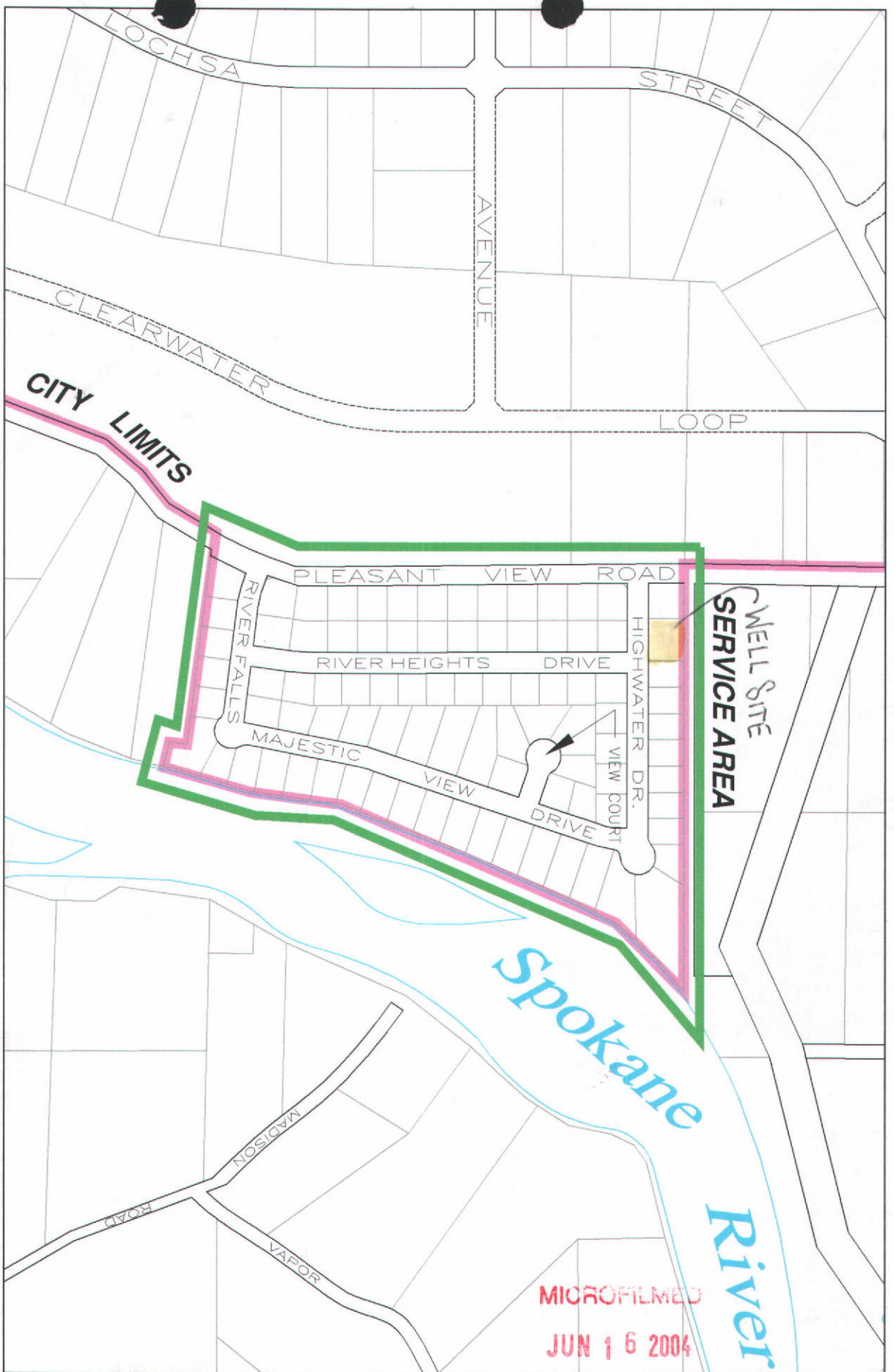
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Derry G. Werner
 (Applicant)

Received by db Date 4/5/02 Time 1:5p Preliminary check by _____
 Fee \$ 450.00 Receipted by db # N014934 Date 4/5/02
 Publication prepared by db Date 7/24/02 Published in IDA Rm 8/1+8/02
 Publication approved db Date 8/9/02

450.

MICROFILMED
 JUN 15 2004



MICROFILMED
JUN 16 2004

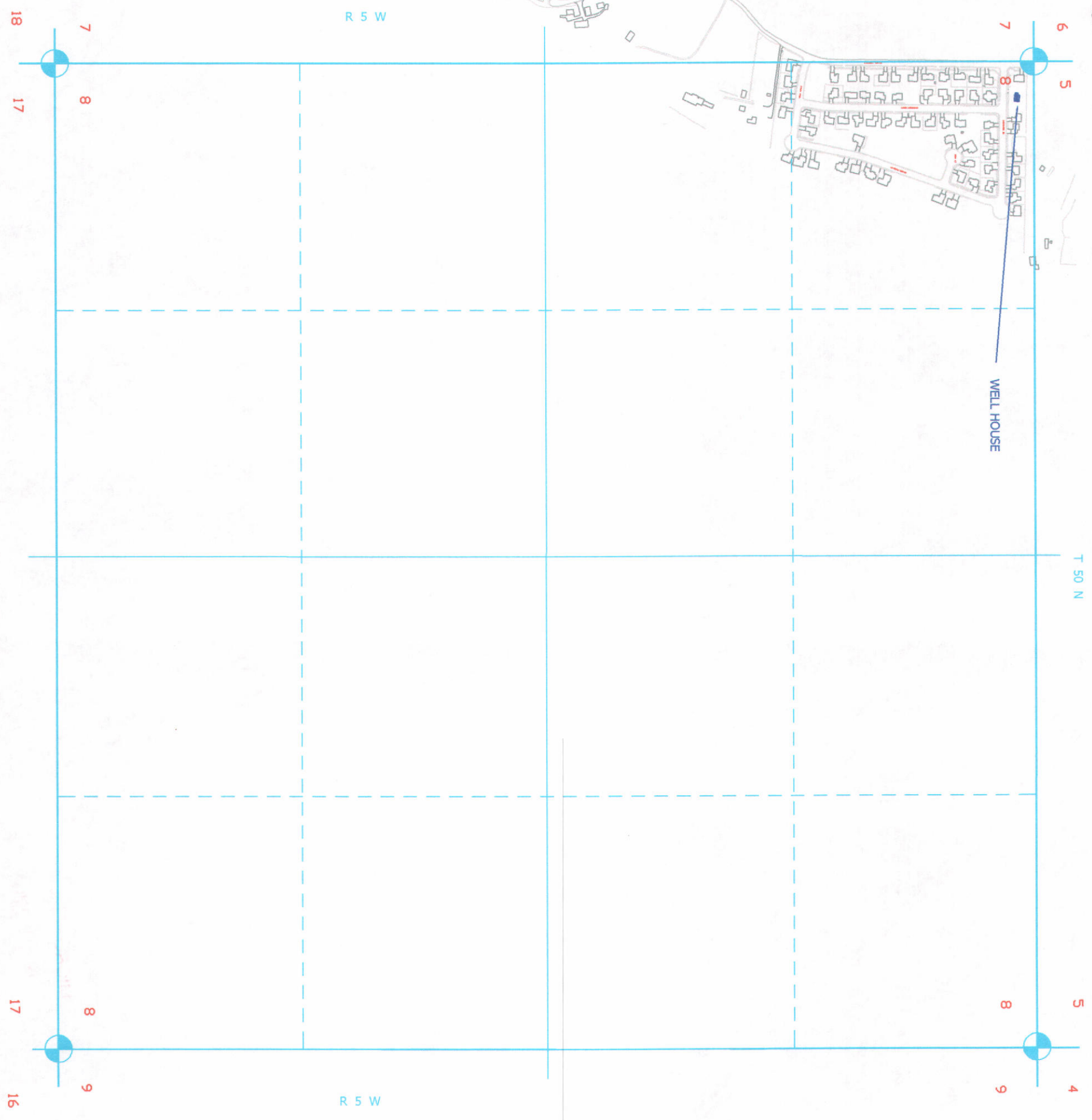


ENGINEERING

408 SPOKANE STREET
POST FALLS, IDAHO 83854
(208) 773-3511

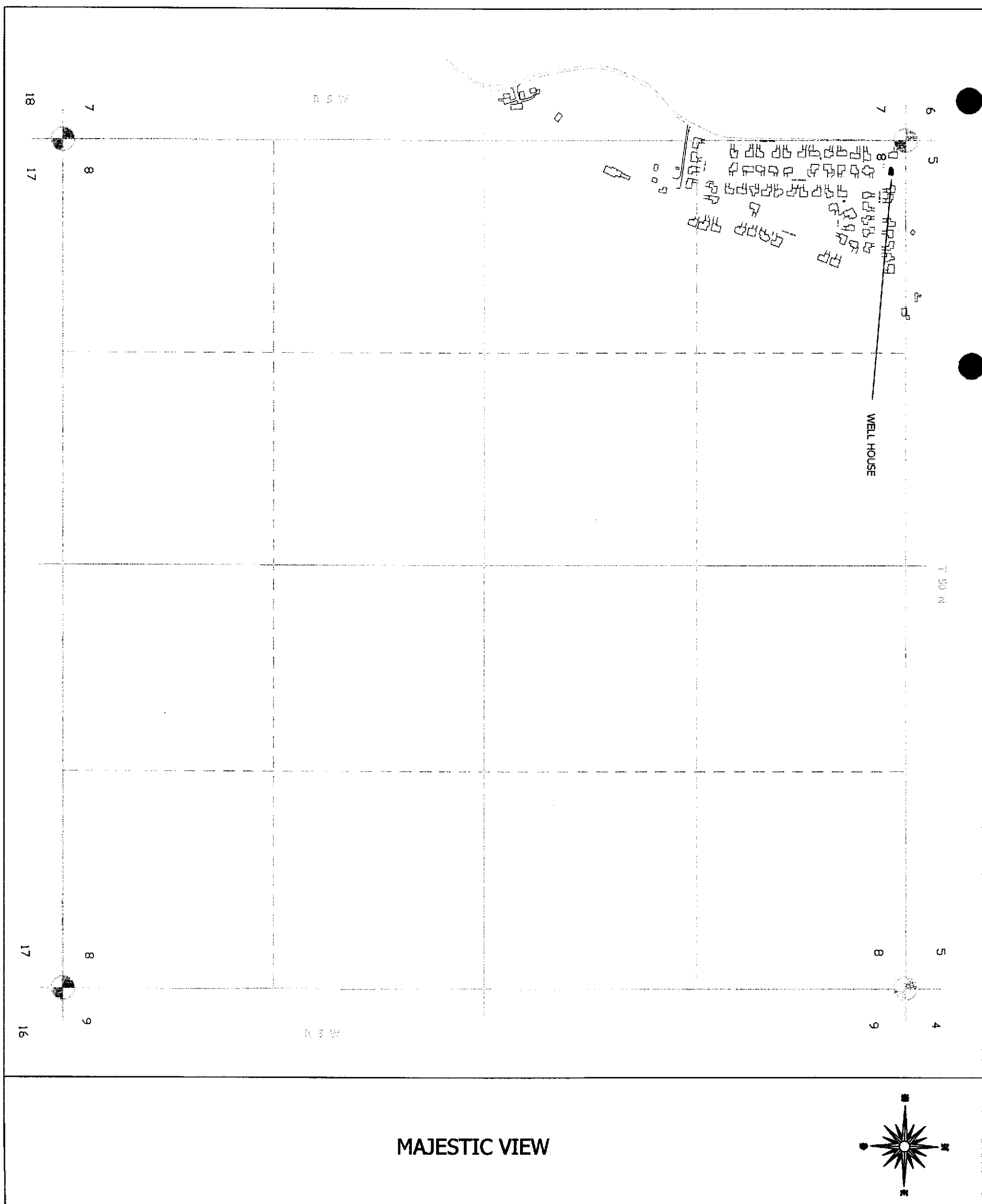
Majestic View Water Service Area

DWG No. 00 SCALE: 1" = 400' SHEET 1 of 1
FILE: Majestic View Water Service Area DATE: April 2, 2002



MAJESTIC VIEW





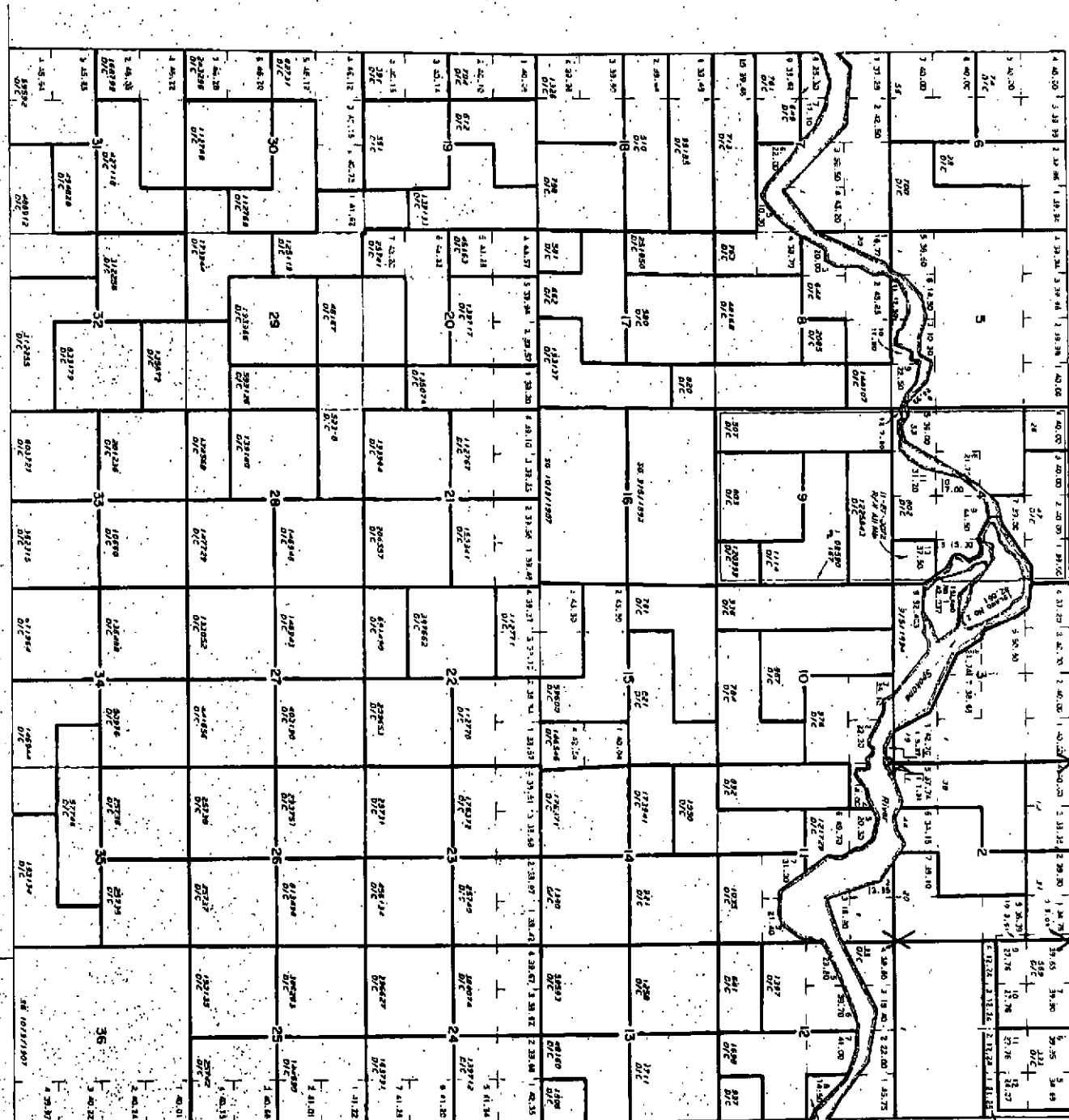
KOOTENAI COUNTY 055
COEUR D'ALENE DISTRICT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

INDEX TO SEGREGATED TRACTS

[illegible]

1 DB590 Car of 167 (Act of Cong 7/23/1953)
Completed 9/23/1960. All of surface Voted by BLS

[illegible]

SCALE in Chains

0	10	20	30
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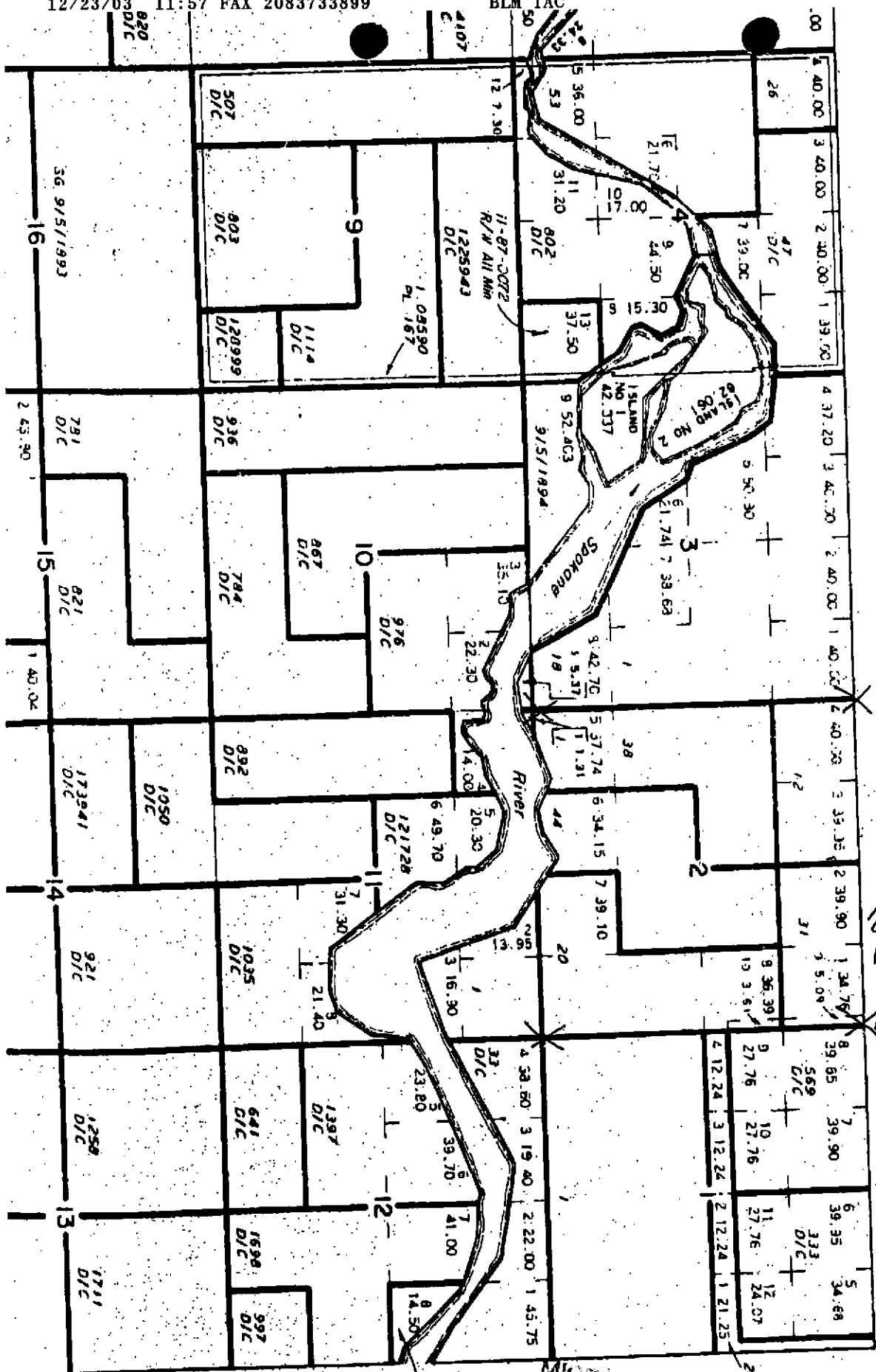
THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE, SEE

50 NORTH RANGE 5 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055

COEUR D'ALENE DISTRICT

15000
8053
8022
10303



MICROFILMED
JUN 4 5 2004

The following applications have been filed to amend Permits to Appropriate Water

95-9137

CITY OF POST FALLS,
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NENE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 3 CFS
Total Diversion: 3 CFS

Date Filed: 12/02/2003

Remark: Municipal use is within service area of City of Post Falls.

95-9147

CITY OF POST FALLS
408 N SPOKANE ST
POST FALLS ID 83854

Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWSW	S1	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NENE	S2	T50N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	SWSE	S27	T51N	R05W	KOOTENAI County	Source GROUND WATER
Point(s) of Diversion	NWNW	S34	T51N	R05W	KOOTENAI County	Source GROUND WATER

Use: MUNICIPAL 01/01 To 12/31 5.79 CFS
Total Diversion: 5.79 CFS

Date Filed: 12/02/2003

Remark: Municipal use is within service area of City of Post Falls.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-211, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 01/05/2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 18 and 25, 2003

MICROFILMED

JUN 16 2004

MEMORANDUM

To: File Nos. 95-9137 & 95-9147

From: Gary Spackman *Gary*

Date: November 26, 2003

Re: **Waiver of Water Appropriation Rule no. 40.05 (Additional Information) Requirement**

On October 30, 2003, the City of Post Falls filed application to appropriate water no. 95-9137 (3.0 cfs) and application to appropriate water no. 95-9147 (5.79 cfs). For applications proposing appropriation of water in excess of 5.0 cfs, Rule 40.05 of the Water Appropriation Rules requires the submittal of additional information related to the factors IDWR must consider in determining whether an application should be approved. If the rule were blindly followed, the city would be required to submit information for application no. 95-9147 (5.79) but not for 95-9137 (3.0 cfs). Because the applications were filed on the same day, and will provide water to the larger City of Post Falls system, additional information should have been provided for both applications. IDWR has the discretion to require the additional information for any application.

Northern Region forwarded the files to the state office without the additional information. I discussed the applications with Bob Haynes, Northern Regional Manager, who stated he thought the applications represented existing constructed system capacity at the identified points of diversion. Haynes later sent the attached memo confirming that the use proposed by the applications was in place prior to the filing of the applications.

While there is no specific provision in the Water Appropriation Rules expressly allowing IDWR to waive the extra information requirements, most of the submittals establish facts that help prospectively evaluate the effect of **future** beneficial use. If the use is already in place, most of the information has little value to IDWR.

Because the applications represent existing development and use of water, the extra information requirements of Rule 40.05 are waived.

MICROFILMED

JUN 16 2004

KOOTENAI DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

450

W.R. # 95 - 9147

APPLICATION ID # 70062
INITIAL REVIEW

ENT 7/23 BCA 7/24 OK to Publish 7/23

APPLICANT: CITY OF POST FALLS BY: AB DATE: 07/02/02

- ITEM REQUIRED INFORMATION
1. ☒ Name and Address
 2. ☒ Source
 3. ☒ Point of Diversion & County
 4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
 5. ☒ Total Quantity
 6. ☒ Description of diverting works
 7. ☒ Time required for b/u
 8. ☒ Proposed use
 9. ☒ Place of use or acres irrigated
 10. ☒ Other water Rights
 11. ☒ Ownership
 12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION
(Yes)(No)

Shape File Created Date _____ By: _____
Field check: by _____
Field report attached _____
Analysis Supp. attached(>5cfs/500af) _____
Water delivered by water master? Water District # _____

PROCESSING
(Yes)(No)

PRIORITY DATE: 7/2/02

RECEIVED

OCT 30 2003

Department of Water Resources

(Include Moratorium Remark)

Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN:

KOOTENAI

County

LETTERS SENT REQUESTING:

() Dam Information

() Fish Information

() Power Information

() Other: _____

INFORMATION RECEIVED:

() Dam Information

() Fish Information

() Power Information

() Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.
<u>753336</u>	<u>N/A</u>	Dom. _____ Non-Dom. ☒	Paid \$ _____	_____
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____

Upgrade Needed?

Y() N()

Y() N()

Y() N()

- Groundwater management area _____
Critical ground water area _____
Well Drilling Permit required _____
Well Drilling Application and Fees received _____
Well Drilling Application approved? _____

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- Notice of pending void order issued. Final order response date: _____/_____/_____
Further information required from applicant _____
Affidavit of publication received 8/9
Application published correctly. If not, record action taken: _____

7/24 Publication dates and paper recorded on application

| Sr. Agent initial

Final protest date:

8/19/02

- Protests received, _____
Measuring device required _____
Measuring port required _____
Special conditions: _____
Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: _____

Date: _____/_____/_____