

FOR OFFICE USE ONLY
Amt. of Fee \$: 175.00
Receipt No. COT2356
Receipt By: WMC
Date Received: 1-26-04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 95-09130 Telephone No. 208 665 9200

2. Name of Permit Holder(s): Robert N Turnipseed and/or Bar Circle 'S' Water Inc

3. Mailing Address: PO Box 971

City Hayden State ID Zip 83835

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 2 / yr. 93

Well Driller: United Drilling Inc Drilling Permit Number: 95-93-N-0009-000

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 177 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 177 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 3.30 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes X or No _____

Has the measuring device been installed?

Yes X or No _____

8. Fee Enclosed: \$ 175.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Robert Turnipseed Telephone Number: 208 665 9200

Address: PO Box 971 Hayden ID 83835

10. 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. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder:

Robert N Turnipseed
(include your title, if on behalf of company or organization)

Date:

1-16-04

MICROFILMED

MAR 23 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09130

Priority: March 28, 2002

Maximum Diversion Rate: 3.30 CFS

This is to certify, that ROBERT N TURNIPSEED And/Or
BAR CIRCLE S WATER INC
PO BOX 971
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	3.30 CFS

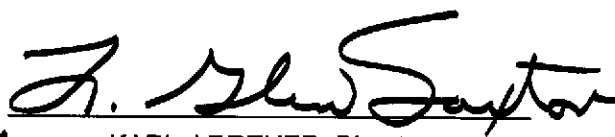
LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4NW1/4 Sec. 26, Twp 52N, Rge 04W, B.M. KOOTENAI County

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 1, 2004**.
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. 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.
5. This right shall be subject to the provisions of the Rathdrum Prairie Ground Water Management Plan.
6. Place of use is within the area served by the public water supply system of Bar Circle S Water Inc. The place of use is generally located within Sections 23, 24, 25, and 26, Township 52N, Range 4W.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 6th day of March, 2003.


for KARL J DREHER, Director

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DEC 03 2003

RECEIVED

OCT 10 2002

IDWR/North

BAR CIRCLE "S" RANCH WATER COMPANY
P O BOX 1870
HAYDEN, IDSAHO 83835
(208) 665-9200

IN 1975 WHILE PLANNING THE MASTER DEVELOPMENT FOR THE BAR CIRCLE "S" RANCH APPROXIMATELY 850 ACRES IT WAS DETERMINED THAT A 16" WELL WAS NEEDED TO SERVICE THE SUBDIVISION OF 5 ACRE ESTATES (BY ORDER OF THE PANHANDLE HEALTH DEPARTMENT) THE SMALLEST DIVISION FOR SEPTIC TANK AND DRAINFIELD.

A STAINLESS STEEL SCREEN WAS SET IN THE BOTTOM OF THE WELL. THE TEST PUMPING REVEALED A CAPACITY OF 2000 G.P.M MAX PRODUCTION COULD BE ATTAINED. AT THAT TIME WE SET A 30 HP PUMP AS THAT SUPPLIED ENOUGH WATER FOR THE START OF OUR SUBDIVISION. LATER WE ADDED A 60 HP PUMP WHICH PRODUCES 521 G.P.M. WHICH OUR WATER RIGHT IS SET AT PRESENT TIME.

DURING THAT PERIOD THE AVERAGE HOUSEHOLD USED APPROXIMATELY 350 G.P.D. TODAY THE AVERAGE ON THE BAR CIRCLE "S" IS OVER 1500 G.P.D. GARY GAFFNEY OF D.E.Q. INFORMS US THAT FOR PLANNING OUR FUTURE ADDITIONS WE SHOULD USE 1600 G.P.D. PER HOUSEHOLD

AN ADDITIONAL DEMAND ON OUR WATER SYSTEM IS A POLICY BY NORTHERN LAKES FIRE DEPARTMENT WHICH DEMANDS THAT THE WATER SUPPLIER INSURE THAT THE WATER TO EACH FIRE HYDRANT IS 1000 G.P.M. FOR 2 HOURS FOR FIRE FIGHTING. THE FIRE DEPARTMENT USES OUR SYSTEM TO SUPPLY PUMPER TRUCKS FOR ALL THE SURROUNDING AREA.

IN 2001 WE PURCHASED THE GARWOOD BUSINESS CENTER WATER COMPANY AND ARE TYING THE TWO WATER COMPANIES TOGETHER WHICH WHEN COMPLETED WILL GIVE BAR CIRCLE "S" WATER A BACK UP WELL AND EXTRA STORAGE. THE GARWOOD WATER HAS A 6" WELL, 180,000 GALLON WATER TANK AND PRESSURE PUMP HOUSE. THE GARWOOD BUSINESS CENTER HAS 14 EACH 5 ACRE INDUSTRIAL SITES. AT THE CURRENT TIME WE HAVE TWO USERS

ON GOING TALKS WITH THE NEIGHBORS FOR FUTURE DEVELOPMENT WILL REQUIRE EXTRA WATER AS THEIR LAND IS ON THE EXTREME EASTERN EDGE OF THE AQUIFER AND LOCATING WATER IS AT BEST A CRAP SHOOT.

THE IDAHO PUBLIC UTILITIES WHO SETS THE RATES, INFORMS US THAT WE MUST PREPARE A MASTER PLAN FOR WATER USERS IN OUR AREA FOR FUTURE AND PRESENT USEAGE. WE REQUEST THE ADDITIONAL WATER USE TO COVER FUTURE DEVELOPMENT. ANY FUTURE DEVELOPMENT EAST OF HIGHWAY 95 WILL NEED WATER FROM THE AQUIFER.

FINALLY, PAST HISTORY TELLS US THAT PEOPLE ARE GOING TO MOVE TO NORTH IDAHO FOR OUR EXCELLENT WAY OF LIFE. SOMEONE MUST PREPARE FOR THE FUTURE. THE HIGHEST AND BEST USE FOR THE LAND ON THE EAST SIDE OF HIGHWAY 95 NORTH IS SUBDIVISIONS.

Bob Turnipseed

EXHIBIT "E"

#370

69891

Ident. No. 95-9130

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAR - 4 2003

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of Applicant Robert N. Turnipseed 40 Bar Circle's Water, Inc. Phone 772-5060
Mailing address P.O. Box 971 Hayden, ID 83835
2. Source of water supply Groundwater (Rathdrum Aquifer) which is a tributary of _____
3. Location of point of diversion is Township 52N Range 4W Sec. 26, in the NE $\frac{1}{4}$,
NW $\frac{1}{4}$, _____, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>3.30</u> for <u>MUNICIPAL</u> purposes from <u>VI</u> to <u>12/31</u> (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) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 3.30 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 8" ϕ well @ +1-350ft depth with 60 hp pump (Existing) + 16" well
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
- c. ~~Proposed~~ well diameter is 8" inches; proposed depth of well is 1996 feet 1977 GILLMAN BAR CIRCLES RANCH
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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 in kW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. Bar Circle's Water System / Company
- d. Domestic; show number of households. 360 HOMES
- e. Other; describe fully. N/A

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DEC 8 3 2003

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	
Municipal			(Within Service Area)															>	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 95-7691

11. a. Who owns the property at the point of diversion? Robert N. Turnipseed

b. Who owns the land to be irrigated or place of use? Individual lot/land owners

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Robert N. Turnipseed Owner
Signature of Applicant (and title, if applicable)

Received by AB Date 3-28-02 Time 11:30 Preliminary check by AS
Fee \$ 370 Received by AB # N074916 Date 3-28-02
Publication prepared by AB Date 5/29/02 Published in Idaho News 6/6+13/02
Publication approved AB Date 6/19/02

MICROFILMED

DEC 03 2002

BAR CIRCLE S PLACE OF USE

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	
		23					m	m	m	m	m	m	m	m	m	m	m	m	
		26	m	m	m	m	m	m	m	m									
		25	m	m	m	m	m	m	m	m		m	m						
		24	m		m	m			m	m	m	m	m	m	m	m	m	m	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

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

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 enabling the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Signature of Applicant (and title, if applicable)

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Receipted by _____ # _____ Date _____
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

MICROFILMED

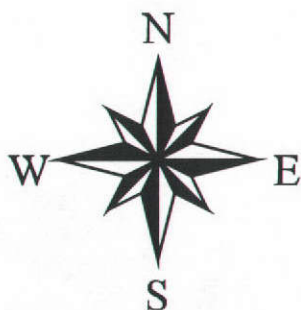
DEC 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant _____ Phone _____
Mailing address _____
2. Source of water supply _____ which is a tributary of _____
3. Location of point of diversion is Township _____ Range _____ Sec. _____, in the _____
_____, _____, Govt. Lot _____, B.M., _____ County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
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)
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) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source _____
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
 - 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? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is _____ 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 in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

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MICROFILM
DEC 03 2007

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF THE APPLICATION OF)
BAR CIRCLE "S" RANCH WATER COMPANY)
AND ITS PROPOSAL TO PURCHASE THE)
GARWOOD BUSINESS CENTER WATER)
SYSTEM AND EXPAND ITS CERTIFICATED)
SERVICE AREA.)**

CASE NO. BCS-W-01-1

ORDER NO. 28895

**RECEIVED
OCT 10 2002
IDWR/North**

On July 22, 2001, Bar Circle "S" Water, Inc. (BCS; Company) filed an Application with the Idaho Public Utilities Commission (Commission) requesting Commission approval of the Company's purchase of the Garwood Business Center Water System. Reference July 20, 2001 Purchase and Sale Agreement (Agreement). The Company also seeks to extend its certificated area of service to two areas that are presently undeveloped. Reference IDAPA 31.01.01.112; Amended Certificate No. 296.

BCS is a Commission regulated water company operating in Kootenai County near Hayden Lake, Idaho. As reflected in its most recent annual report, the Company provides metered water service to 117 residential customers and 1 commercial customer. The Bar Circle "S" water system is a looped metered distribution system with one (1) 50 horsepower 600 gallon per minute well and a 55,000 gallon elevated steel water tank.

The Garwood Business Center Water System serves one (1) commercial customer and 13 additional commercial development lots. It consists of a looped metered distribution system with one (1) 15 horsepower 58 gallon per minute domestic well. The system also includes three (3) booster pumps and a 185,000 gallon storage tank that provides 2000 gallons per minute of fire booster pump capacity.

The proposed purchase price for the Garwood Business Center Water System is \$50,000. Pursuant to the Agreement, possession was transferred on the first day of August 2001. The closing will occur one week after approval by the Commission. Following Commission approval of the proposed purchase, the Company proposes to interconnect the two water systems and provide service under the Company's existing tariffs. The Company has requested no change in rates.

EXHIBIT "A"

MICROFILMED

ORDER NO. 28895

APR 21 2004

A Notice of Application and Modified Procedure in Case No. BCS-W-01-1 was issued by the Commission on September 19, 2001. The Company has provided individual notice of the Garwood purchase to its customers. The deadline for filing written comments was October 26, 2001. Commission Staff was the only party to file comments. Staff recommends that the Company's Application be approved. The acquisition, Staff contends, will provide BCS with an additional culinary water supply source and an increase in available fire flow capacity. Staff believes that the purchase price appears to be negotiated at arms length and is a reasonable price given the added benefits to Bar Circle "S". The acquisition of the Garwood well and reservoir will also provide additional water supply to meet future growth. The Company's line extension rules, if followed, Staff contends, should ensure that the costs for expansion into the certificate expansion area will be properly allocated to customers or developers requesting service and will not be borne by existing customers.

Staff notes that the Company's current gross investment in plant (well and reservoir improvements) is \$73,755 and that all distribution mains and services in the BCS system have been contributed to the Company. The \$50,000 Garwood purchase price together with the estimated \$64,000 in interconnection costs represents a new investment of \$114,000 or a 154% increase in the Company's gross investment in plant.

Commission Findings

The Commission has reviewed and considered the filings of record in Case No. BCS-W-01-1 including the comments and recommendations of Commission Staff. We find that present and future public convenience will be served by approving the purchase of the Garwood Business Center Water System by Bar Circle "S" and authorizing the Company requested expansion of its certificated service area. We find the Garwood purchase price and the estimated costs of interconnecting the two water systems to be reasonable. No change in the Company's tariffs or rules has been requested; nor we find is required. We find that there are no known public utilities, person or corporations with whom the proposed certificate expansion is likely to compete.

CONCLUSIONS OF LAW

The Idaho Public Utilities Commission has jurisdiction over Bar Circle "S", a water utility, and the issues presented in Case No. BCS-W-01-1 pursuant to the authority granted in Idaho Code, Title 61 and the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

ORDER

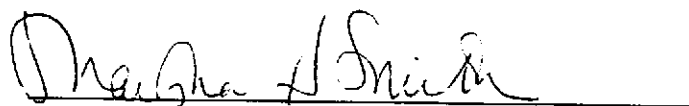
In consideration of the foregoing, IT IS HEREBY ORDERED and the Commission does hereby authorize the purchase of the Garwood Business Center Water System by Bar Circle "S" Water, Inc. under the terms and conditions set forth in the July 20, 2001 Purchase and Sale Agreement between Carol Tramner and Bar Circle "S" Water, Inc.

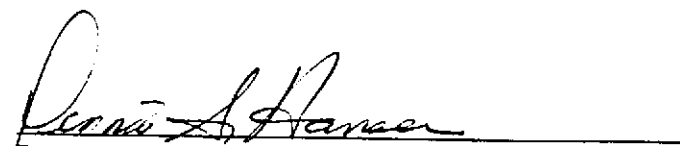
IT IS FURTHER ORDERED and the Commission approves the Bar Circle "S" proposed extension of its certificated area of service to two contiguous areas that are presently undeveloped. Reference IDAPA 31.01.01.112. The additional certificated area of service that we approve in this Order (Garwood Business Center Water System and the contiguous undeveloped areas) is more particularly described in the legal description set forth in Attachment A to this Order. Reference Second Amended Certificate No. 296.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

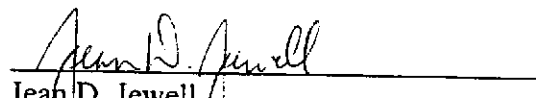
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 15th day of November 2001.


PAUL KJELLANDER, PRESIDENT


MARSHA H. SMITH, COMMISSIONER


DENNIS S. HANSEN, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

b1s/O:BCSW011_sw

ORDER NO. 28895

MICROFILMED

APR 21 2004

EXHIBIT "A"

All that portion of Section 24, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, lying West of Highway 95 and South of the following described line:

Beginning at a point 600 feet North of the West Quarter corner of said Section 24; thence, South 83°55'38" East 3,059.36 feet; thence, South 81°03'59" East 590.0 feet to the terminus point of said line.

Also all that portion of the South half of Section 24, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, lying East of Highway 95, EXCEPTING THEREFROM the East half of the East half of said South half.

Also the North half of Section 25, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, EXCEPTING THEREFROM the East half of the East half of said North half.

Also all that portion of the South half of Section 25, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, lying West of the precipitous edge of what is commonly referred to as the Rimrock.

Also all that portion of the Northeast Quarter of Section 35, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, lying East of Government Way, as presently located.

MICROFILMED

ATTACHMENT A
APR 21 2004 ORDER NO. 28895
CASE NO. BCS-W-01-1

BAR CIRCLE S

FILING TO INCREASE RATE TO 2,000 GPM.

Page 1

02/06/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-7691

WATER RIGHT NUMBER: 95-7691

Owner Type

Original Owner

Name and Address

AVONDALE REALTY

, ID

Current Owner

BAR CIRCLE S RANCH INC
2951 GOVERNMENT WAY
COEUR D'ALENE, ID 83814

Priority Date: 01/17/1977

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

DOMESTIC

From To

1/01 to 12/31

Diversion Rate

1.160 CFS

Annual Volume

80.40 AF

Total Diversion:

1.160 CFS

80.40 AF

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4

Sec. 26, Twp 52N, Rge 04W, B.M.

KOOTENAI County

Place of Use

DOMESTIC

Twp Rge Sec

NE				NW				SW				SE				Totals
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

52N 04W 26

Conditions of Approval:Remarks:Comments:Dates and Other Information:

FILE TRANSFER
TO CHANGE USE FROM
DOMESTIC TO MUNICIPAL

FILE NEW APP. FOR
REMAINING DIV. RATE
1479 GPM / 3.30 CFS

521 GPM

MICROFILMED

APR 2 1 2004

- Began development in 1974.
- Drilled 16-inch Bar Circle S Well with 2000 gpm screen, Initial Water Distribution System, and Stand Pipe Reservoir in 1977.
- First phase of Bar Circle S Development came online in 1978, reference Mater Plat.
- Between 1978 and 2002, eight different phases brought online that equate to a total of 163 5-acre single family residences.
- Instructed by DEQ (Tony Davis) in 1998 to develop an addition well and storage reservoir.
- In 2001 acquired Ranch Aero Water System including 14 commercial hookups, 185000 gallon reservoir, and booster pumping station.
- In 1978 it was calculated that the average residence used 350 gpd.
- In 2002 DEQ recommends a conservative value of approximately 1,500 gpd.
- In 2002 further improvements were made to consolidate the Ranch Aero and Bar Circle Water System, including 6-inch dedicate supply line and 10-inch inter-tie line plus miscellaneous appurtenances and controls. Said improvement increase fire flow capabilities and system pressures through the two water systems.
- Estimated eastern boundary of the Rathdrum Aquifer is generally accepted to be approximately at State Hwy 95.
- Idaho PUC requires the establishment of a sphere of influence so as to project future expansion requirements that serve projected development.
- Mr. Turnipseed has secured a first right of refusal to purchase and develop the property to the north owned by Mrs. Rose that contains approximately 172 acres.
- The Bar Circle S Water System is the only known Idaho PUC regulated water system in the vicinity of Hwy 53, Hwy 95, and Burlington Northern Railroad tracks.

MICROFILMED
APR 21 2004

- In summary, people are moving into North Idaho for a way of life regardless of what we do on the Rathdrum Aquifer moratorium. The highest and best use for this land within the sphere of influence is residential housing consistent with past Bar Circle S projects. **It is prudent for developers to make a place for these people and this requires the acquisition of future water rights to conform with Idaho PUC and DEQ requirements.** Furthermore, for prior proper planning we respectfully request an addition to our existing water rights as per our application.
- At this time I will call on Mr. Jeffrey Block, P.E., my consulting engineer for technical questions as well as Mr. Ken Jacobson Attorney at Law.

MICROFILMED

APR 2 : 2004

69891
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Robert N. Turnipseed 40 Bar Circle's
Water, Inc. Phone 772-5060
Mailing address P.O. Box 971 Hayden, ID 83835
2. Source of water supply Groundwater (Rathdrum Aquifer) which is a tributary of _____
3. Location of point of diversion is Township 52 N Range 4 W Sec. 26 in the NE 1/4,
NW 1/4, _____ Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 3.30 for MUNICIPAL purposes from 1/1 to 12/31 (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)
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) 3.30 and/or (b) 221 (minimum)
cubic feet per second acre feet per annum 9039126102
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source 8" well @ 1-350 ft depth
with 60 hp pump (Existing) + 16" well
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet
c. ~~Proposed~~ well diameter is 8" inches; proposed depth of well is 1996 feet GILMAN
16" 1977 BAR CIRCLE'S
RANCH
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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 in kW. N/A
b. Stockwatering; list number and kind of livestock. N/A
c. Municipal; show name of municipality. Bar Circle's Water System / Company
d. Domestic; show number of households. 360 HOMES
e. Other; describe fully. N/A

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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	
Municipal			(Within Service Area)																

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 95-7691

11. a. Who owns the property at the point of diversion? Robert N. Turnipseed

b. Who owns the land to be irrigated or place of use? Individual lot/land owners

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

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

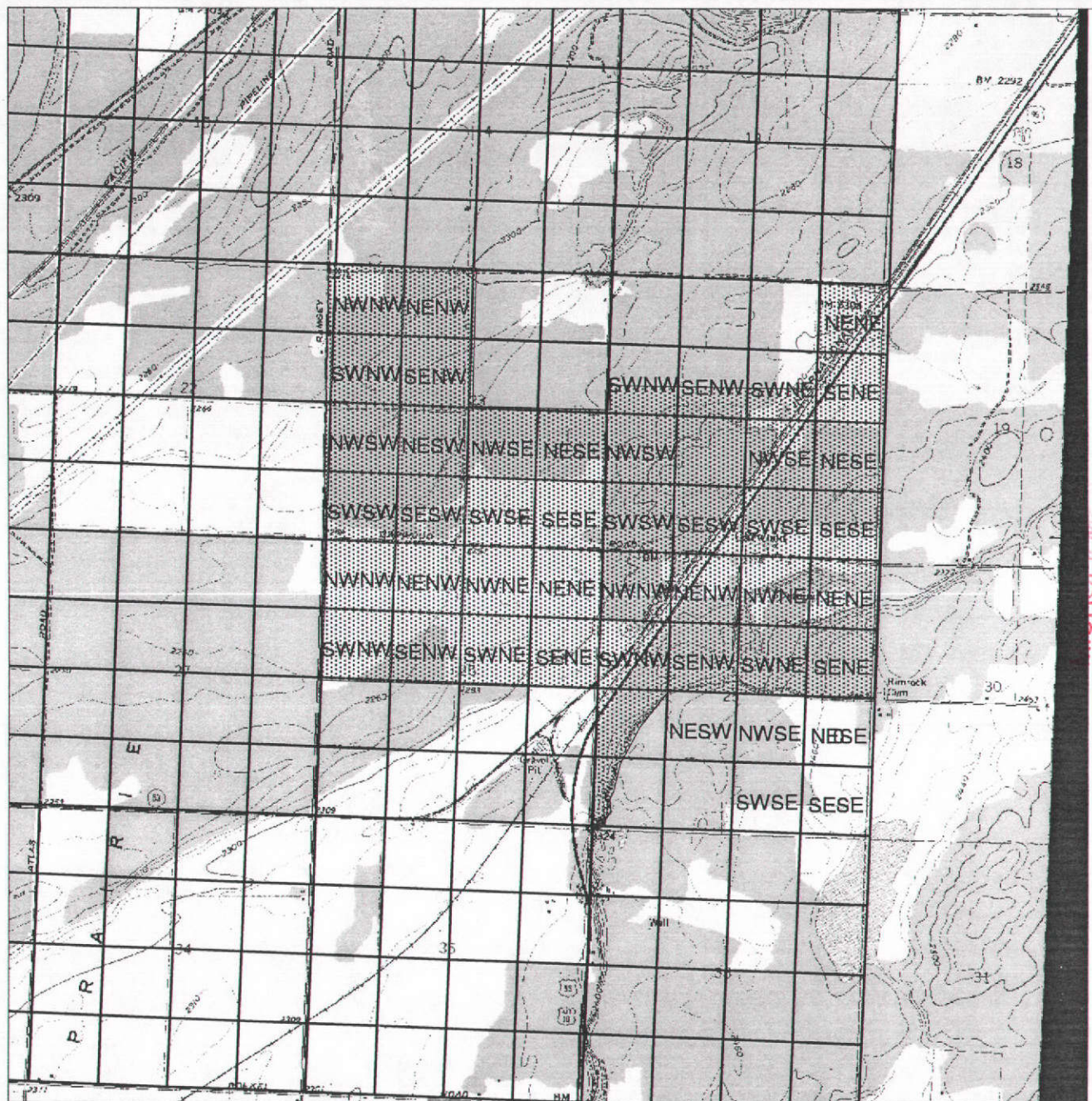
Robert N. Turnipseed Owner
 Signature of Applicant (and title, if applicable)

Received by AS Date 3-28-02 Time 11:30 Preliminary check by AS
 Fee \$ 370- Received by AS # 5074916 Date 3-28-02
 Publication prepared by CP Date 5/29/02 Published in Ada News 6/6+13/02
 Publication approved CP Date 6/19/02

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 Quad IndexQuadcov.shp
 T52n04w.shp



ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9130

Reviewed By: dgibson

Date: February 9, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:	95-93-N-0009-000	
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	N014916, C072356		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	01/20/2004
Date proof due	- 03/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 03/28/2002
New priority date	= 03/28/2002

Deficiencies of Actions Items

Acknowledge proof.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION ANALYSIS

W.R. # 95-9/30

APPLICATION ID # 69891

ENT. 5/14/02 BCA 5/14/02 OK to Publish 5/14/02

INITIAL REVIEW

APPLICANT: BAR CIRCLE'S WATER, INC.
TURNIPSEED

BY: JB DATE: 3/28/02

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)

RECEIVED

MAR - 4 2003

Department of Water Resources

*** 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: 3/28/02

☒ (Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI Count: _____

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y() N()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y() N()
_____	_____	Dom. _____ Non-Dom. _____	Paid \$ _____	_____	Y() N()

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

Remarks: WELL DRILLED PRIOR TO 1987.

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- ☐ Notice of pending void order issued. Final order response date: _____/_____/_____
- ☐ Further information required from applicant
- 6/14 ☐ Affidavit of publication received
- 6/19 ☐ Application published correctly. If not, record action taken: _____

5/29 ☐ Publication dates and paper recorded on application

- ☐ Protests received,
- ☐ Measuring device required
- ☐ Measuring port required
- ☐ Special conditions: _____

Final protest date: 6/24/02

Sr. Agent initial

JB

☐ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

JB

Date: 7/26/02

BAR CIRCLE'S WATER, INC

ROBERT TURNIPSEEN - PRES -

PHILIP DOLAN - SEC., TREAS. -

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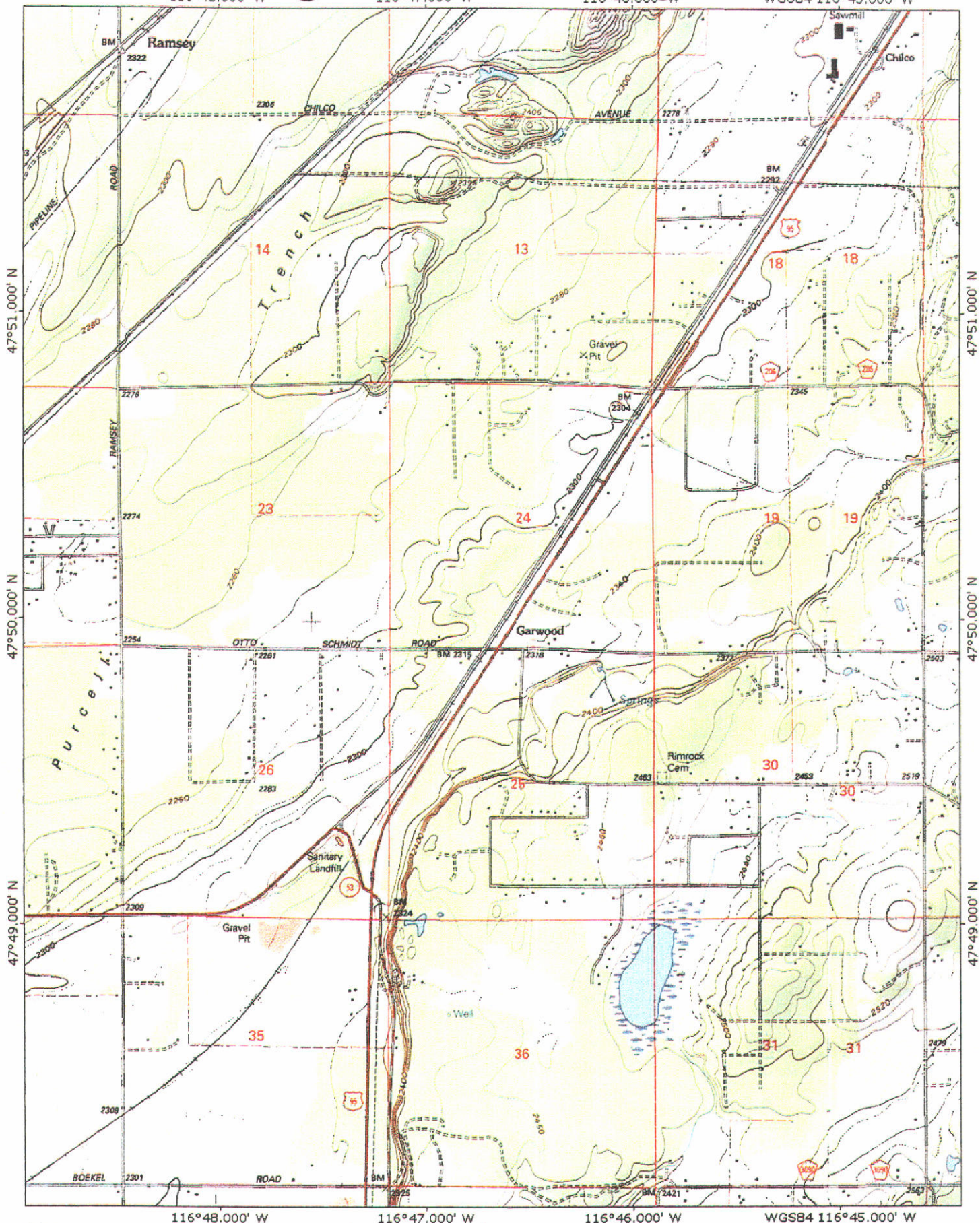
Idaho Department of Water Resources

Listing of Driller Reports

Total 5 records

Contact	Use	TWP	RNG	SEC	Tract	Gov. Lot	WellAddress	Sub	Bl	L	Gallons Per Minute	Static Water Level	Total Depth	Casing Depth	CSG. DIA.	Construction Date	Permit Number
DOLAN, PHILIP E, AVONDALE REALTY, IDAHO FOREST INDUSTRIES INC	Municipal	52N	04W	26							50	260	342	322	16	9/2/1977	751309
CRUPPER, BERT, CRUPPER, JOY	Domestic- Single Residence	52N	04W	26	NENE						10	278	315	127	8	3/14/1977	751290
IDAHO FOREST INDUSTRIES INC	Municipal	52N	04W	26	NENW						50	262	348	331	12	12/27/1977	751355
BASSET, JOHN	Domestic- Single Residence	52N	04W	26	NWSW						75	275	320	320	6	12/10/1991	753117
RINK, HARVEY	Domestic- Single Residence	52N	04W	26	SWSW						20	328	360	220	8	3/23/1980	751730

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DEC 9 3 2003



TN 17°

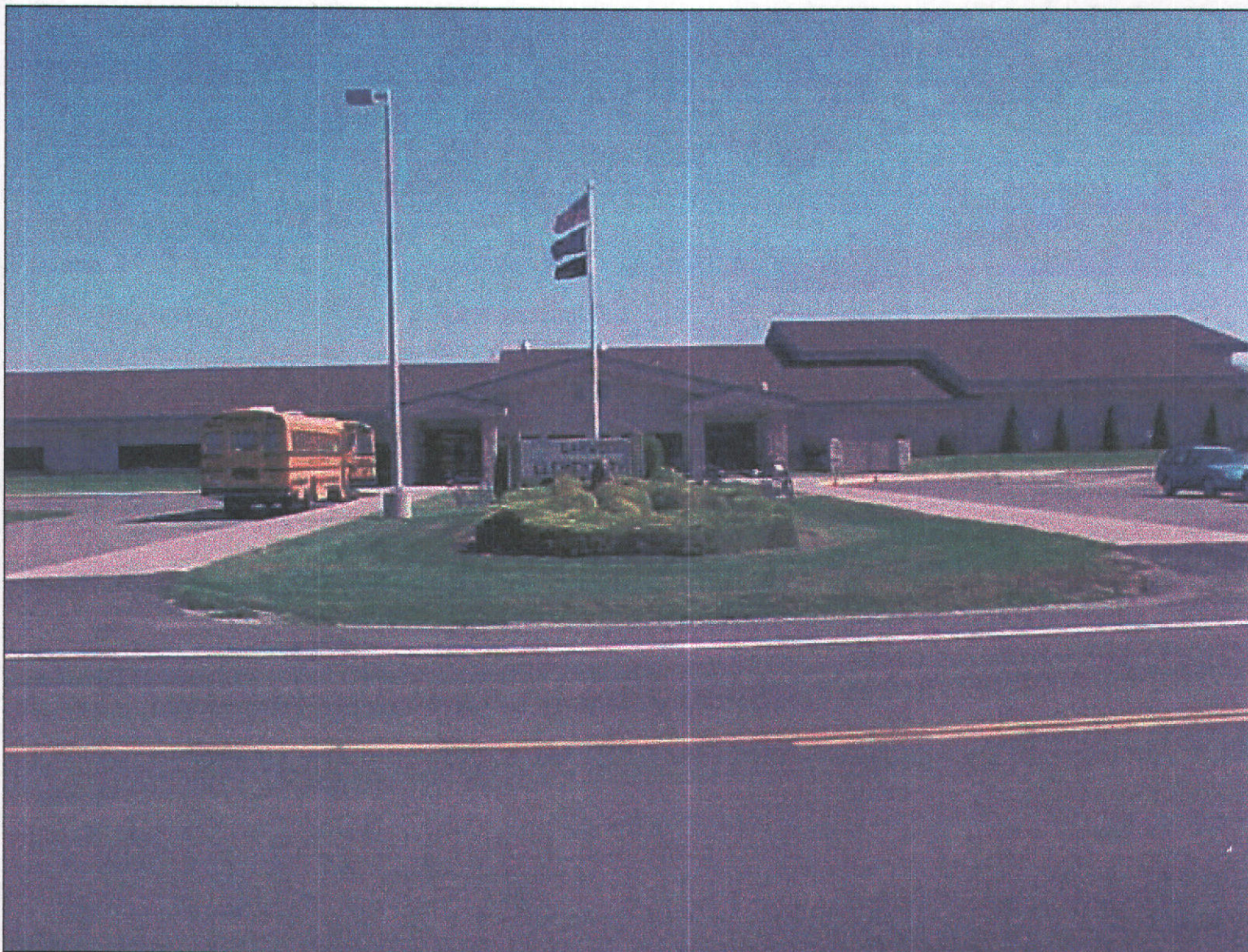
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0 1000 FEET 0 500 1000 METERS
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GARWOOD School
500 students

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SCHOOL Playground 10 HC

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APR 21 2004



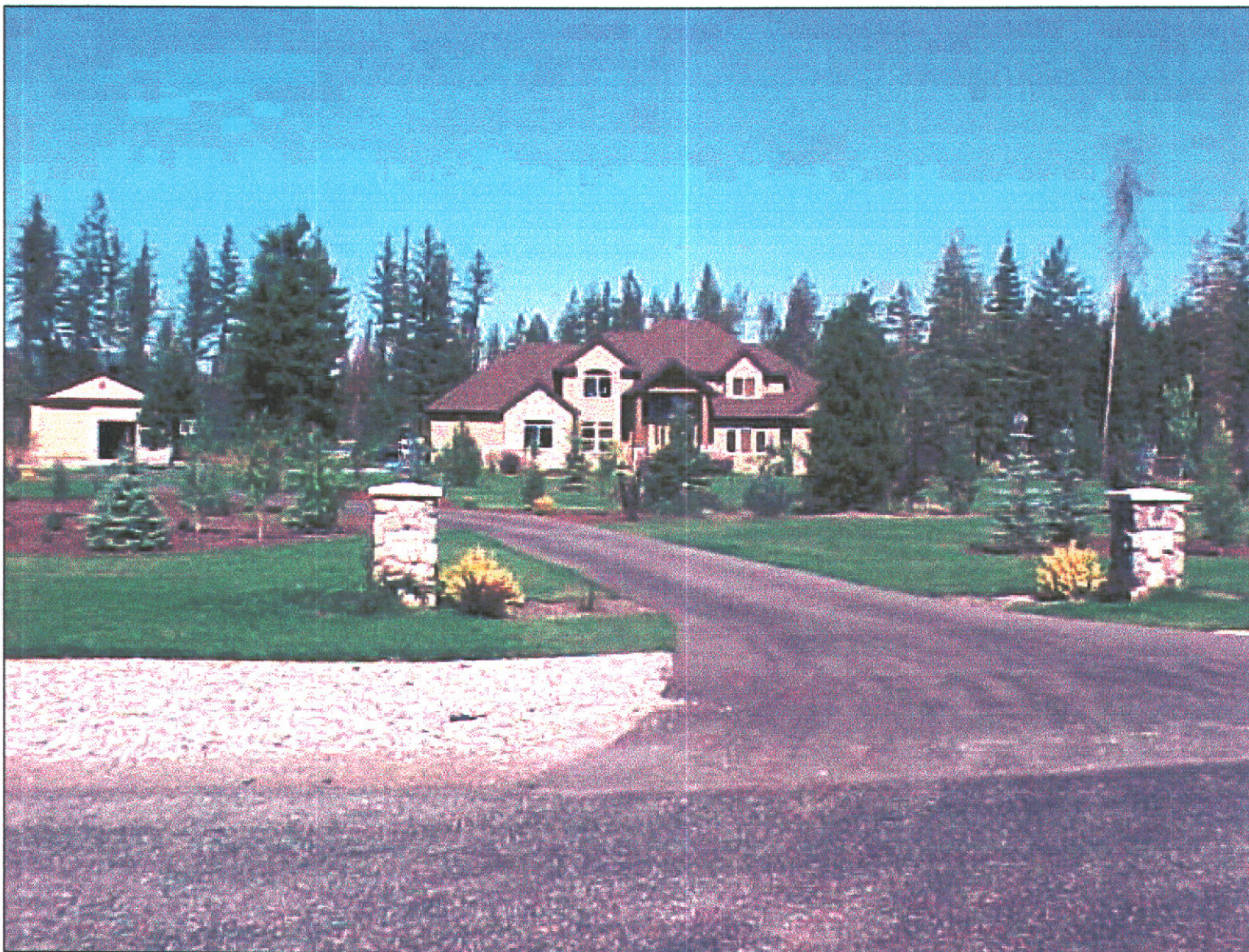
Home on DOLAN Rd

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Home on GARWOOD RD

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Home on DOLAN RD

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ELCA RD NEW SUBDIVISION 31 5 AC TRACTS

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