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AUG 05 1999

Department of Water Resources

For Office Use Only
\$50 Fee Received by NW
Date 8/6/99
Receipt No. CO46217

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 95-08856

Name(s) of Permit Holder: McCormack Properties of Idaho, Inc.

Mailing Address: 401 Front Street, Suite 3, Coeur d'Alene, ID 83814

Date Proof is Due: August 28, 1999 Telephone No. (208) 664-0700

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

none.

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Subdivision development has not yet begun due to pending outcome
of litigation.

Permit holder(s) request an extension to August 28, 19 2000.

FEE: \$50.00

Mara McCook for McCormack Properties of Idaho, Inc.
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to **May 1, 2001**.

IT IS FURTHER ORDERED that the permit is REINSTATED with no advance MICRIFORMED

Signed this 19th day of November, 19 99

L. Ann Saxton
DEC 14 1999
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08856

Proposed Priority: March 4, 1994

Maximum Diversion Rate:

1.00 CFS

This is to certify, that MC CORMACK PROPERTIES OF IDAHO INC
401 FRONT ST STE 3
COEUR D ALENE ID 83814

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	03/15 to 11/15	1.00 CFS
DOMESTIC	01/01 to 12/31	1.00 CFS
FIRE PROTECTION	01/01 to 12/31	1.00 CFS
	Totals	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

SESWNE , Sec. 10, Township 50N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
50N 04W 21	NENE 13	NWNE 13	SENE 13	52
	NESE 13			

Total number of acres irrigated: 52

PLACE OF USE: DOMESTIC, same as IRRIGATION use

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1999.
2. Subject to all prior water rights.
3. 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.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
6. Construction of the well must comply with Idaho well construction standards.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.

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State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 95-08856

CONDITIONS/REMARKS:

8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Domestic use is for 120 homes.
10. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per unit in accordance with Section 42-111, Idaho Code.
11. This permit authorizes irrigation of up to 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.

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

25th day of April, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 95-8856

Department of Water Resources To appropriate the public waters of the State of Idaho

JOB - 667-1574

1. Name of applicant McCormack Properties of Idaho, Inc. Phone 208/664-0700

Post office address 401 Front St., Suite 3; Coeur d'Alene, ID 83814

2. Source of water supply groundwater * Rathdrum Prairie Aquifer which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 10 Township 50N Range 4W B.M. Kootenai County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

43 Amount 1.0 for DOMESTIC purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) 200 for treated storage

41 Amount 201.0 for irrigation purposes from MARCH 15 to NOV. 15
(cfs or acre-feet per annum) 201.0 for domestic purposes from MARCH 1 to NOV. 15 (both dates inclusive)

Amount 201.0 for culinary purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum) 201.0 for domestic

49 Amount 1.0 for FIRE PROTECTION purposes from 4 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) 1.0 for FIRE PROTECTION

5. Total quantity to be appropriated is (a) 1.0 and/or (b) 201.0
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 10" screened well with submersible pump, watertight, vented cap, and pitless adapted. Pressure pipeline to point of use. Pump to elevated storage tank.

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: Jan. 1 to Dec. 31 inclusive.

c. Proposed well diameter is 10 inches; proposed depth of well is 200 feet.

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) _____

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 5 years (minimum 1 year).

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* per data entry standards 4/21/94 cz.

~~of decision #32~~

12. Remarks: Water will supply Congar Bay P. U. D. per Keotenat County order

Lease purchase agreement with Central Pre-Mix Company

Purchase contract with heirs of Clarence Johnson - applicant to make this filing.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

b. Who owns the land to be irrigated or place of use? ~~McCormack Properties/Claurence Johnson~~

11. a. Who owns the property at the point of diversion? Central Pre-Mix Company

10. Describe any other water rights used for the same purposes as described above. 95-04656, 95-04662

Total number of acres to be irrigated.

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding space.

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

9. Description of place of use:

for two (2) hour fire @ 1,500 gpm demand.

e. Other: describe fully. Fire flow, storage, pump and pipeline capacity

d. Domestic: show number of households. $\frac{120 \text{ connections} - 1,000 \text{ gpd culinary}}{1,000 \text{ gpd}}$

c. Municipal; show name of municipality.

b. Stockwatering: list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in kW.

8. Description of proposed uses (if irrigation only, go to item 9):

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

This image shows a full page of blank graph paper. The grid consists of 20 columns and 20 rows of squares, formed by thin black lines. There are no markings, numbers, or text on the grid. A small dark smudge is visible near the bottom right corner.

Scale: 2 inches equal 1 mile.

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

EXECUTIVE VICE PRESIDENT (Applicant)

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e. Other:

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

_____, 19____

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

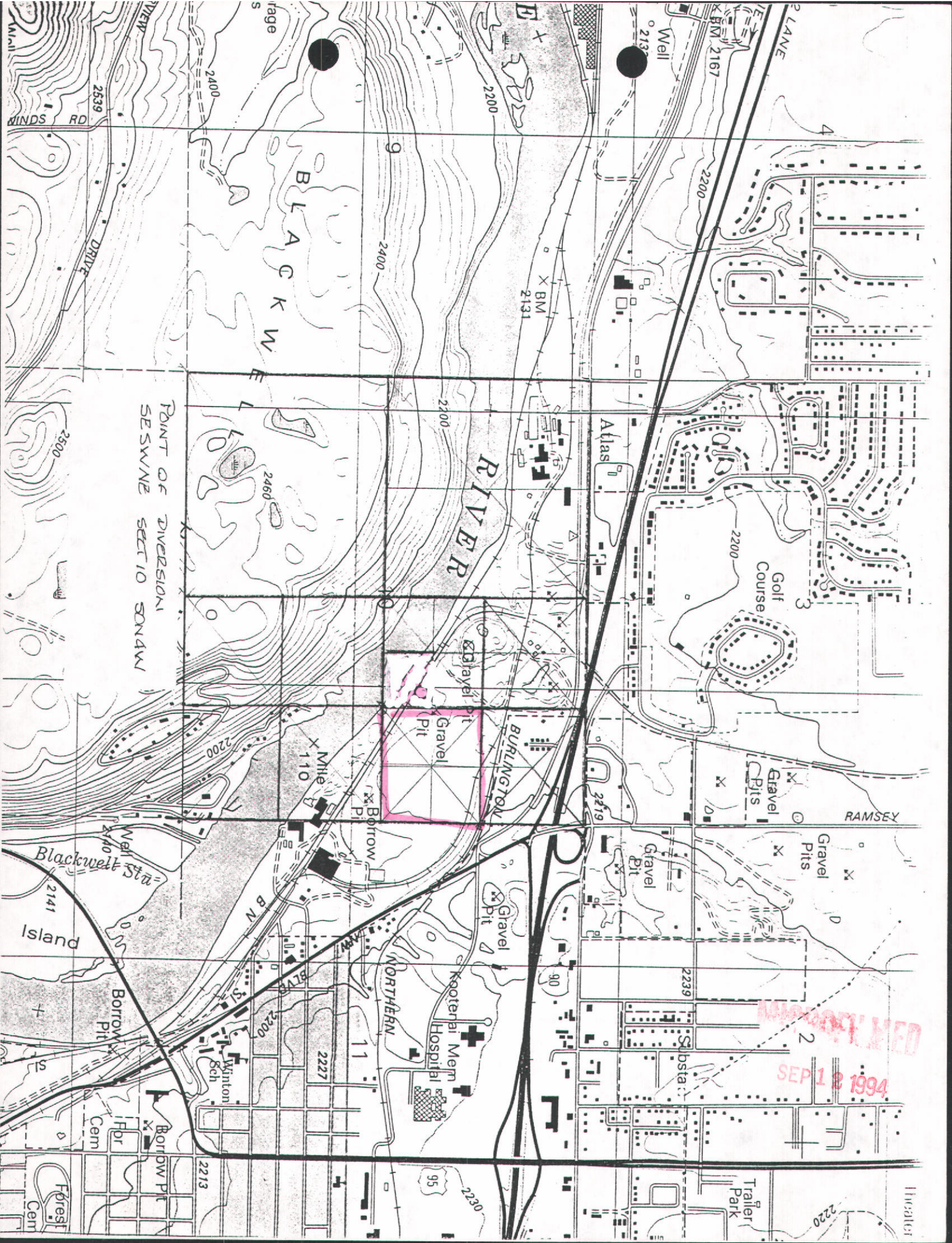
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by PMH Date 3/4/94 Time 1:00PM Preliminary check by AS

Fee \$ 45.00 Received by PMH Date 3/4/94 # N 7420 Date 3/4/94

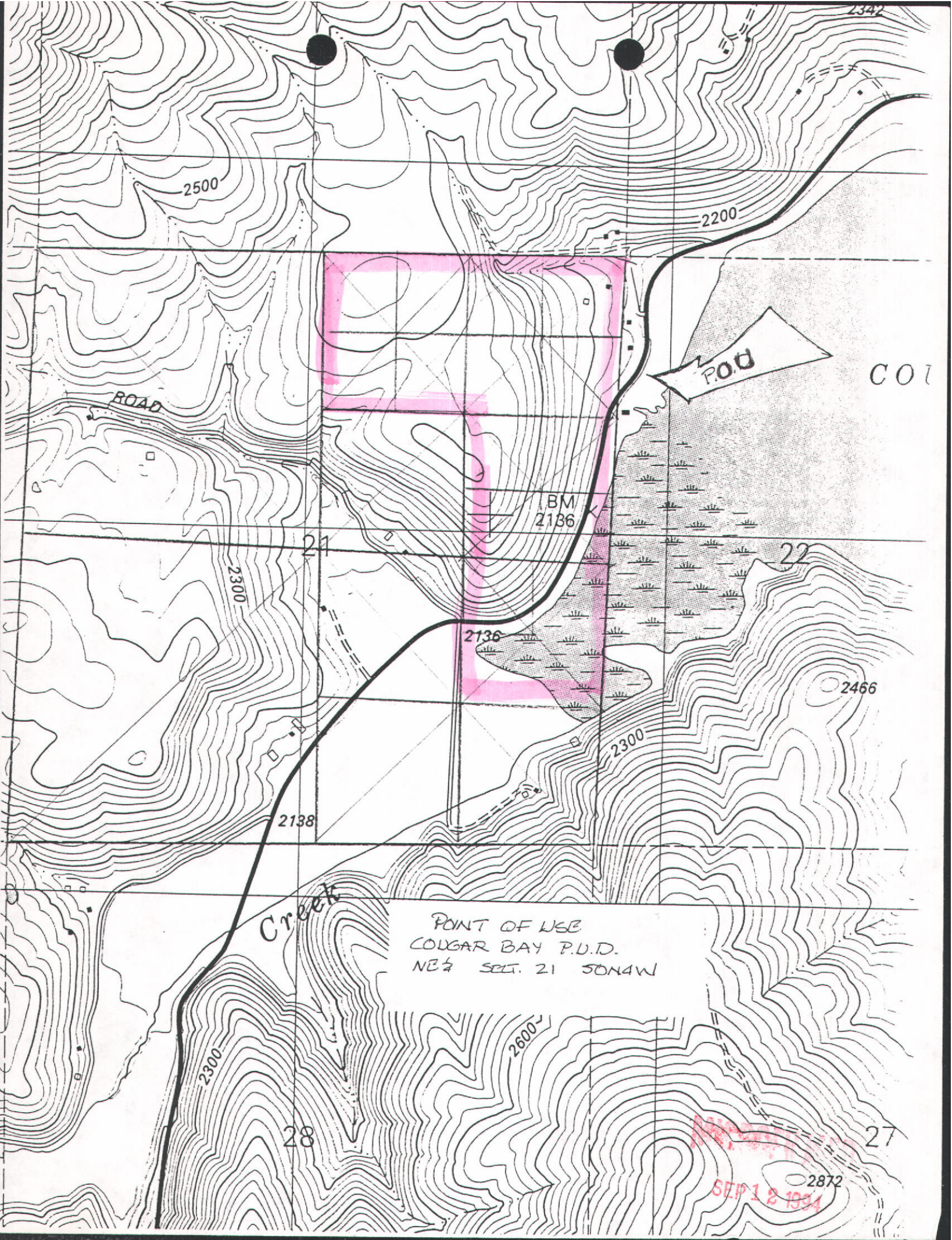
Publication prepared by PMH Date 3/8/94 Published in 3/17-24/94

Publication approved by PMH Date 4/1/94



POINT OF DIVERSION
SESWNE SECTION 30N4W

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SEP 18 1994



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 95-8856

Reviewed By: jpeppers

Date: June 18, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	✓	ok			
Appropriate fee	✓				
Additional Amount Due:					
Receipt No.:		NO16347			
Name and signature same as permit?	✓				
Is address same as permit?		will update ✓			
Has adequate work been completed to demonstrate due diligence?	✓				
			Is delay by a government agency?		✓
			Is supporting documentation needed to support the file?		
			Has the permit been involved in litigation?	✓	
			Is supporting documentation needed to support the file?		in file
			Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		✓

Priority Calculation

Extension request received	6/15/04	New proof due date	no change
Date proof due	- 05/01/2002		
Lapse notice sent	- wrong address		
No. of days late	= —		
Holiday allowance	+ —		
Priority date	+ 03/04/1994		
New priority date	= 03/04/1994		

Action Taken

reinstate due to Dept. error
 no advance in priority
 proof due Sept. 20, 2007 (added time of delay)
 assignment pending done by 6/22/04

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 95-8856

Reviewed By: dgibson

Date: May 1, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?	X		Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:	C053413		Has the permit been involved in litigation?	X	
Name and signature same as permit?	X		Is supporting documentation needed to support the file?	X	
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		X
Has adequate work been completed to demonstrate due diligence?		X			

Priority Calculation

Extension request received	04/26/2001	New proof due date	05/01/2002
Date proof due	- 05/01/2001		
Lapse notice sent	-		
No. of days late	= 0		
Holiday allowance	+		
Priority date	+ 03/04/1994		
New priority date	= 03/04/1994		

Action Taken

Acknowledge proof and grant extension based on litigation until May 1, 2002.

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 95-08856 Reviewed by Jy Date 9-8-99

BASIC INFORMATION

8-5-99 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?

yes Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? yes Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Request info. on litigation
Recommnd attend to May 11 2001, on basis of
litigator.
Reestate w/no advance in priority.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 5-1-2001
Change Priority Date X



IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Use Typewriter
or
Ball Point Pen

MAY 16 1994

1. DRILLING PERMIT NO. 95 - 94 - N - 73 - 000
Other IDWR No. 95-8856

2. OWNER:

2. OWNER:
Name MC CORMACK PROPERTIES OF IDAHO INC
Address 401 FRONT ST STE 3
City CEOUR D ALENE State ID Zip 83814

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 50 North ☒ or South ☐
 Rge. 04 East ☐ or West ☒
 Sec. 10 SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$
 Gov't Lot _____ County KOOTENAI

Address of Well Site _____
City _____

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
BENTONITE	0	37	16 bags	Dry Pourd

Was drive shoe used? Y ☒ N ☐

Was drive shoe seal tested? Y ☐ N ☐ How? Drove On

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Gasing	Liner	Welded	Threaded
8"	+1.5	122	.250	Steel	☒	☐	☐	☐
6"	+3	202	.250	Steel	☒	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 5' Length of Tailpipe 5'

9. PERFORATIONS/SCREENS

☐ Perforations Method _____
☒ Screens Screen Type Cooks Stainless Steel

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
205	225	20	4-5	5"	Stainless	☐	☐
						☐	☐
						☐	☐

2-5" K Packers set at 198'

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

130 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

SE SW NE 10 50N 4W
FORWARD WHITE

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
80+			4 hrs

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

[illegible]

Completed Depth	232'	(Measurable)
Date: Started	04/26/94	Completed 05/03/94

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name H2O WELL SERVICE INC Firm No. 448

Firm Official John H. H. H. H. Date 5-20-94

and
Supervisor or Operator LEA Date 5-10-99

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

Application #: 95-8856 Name: McCormack Date: 4/21/94

AREA OF CONCERN?	- No/Yes	Mor	GWMA	Trust/Non-trust
------------------	----------	-----	------	-----------------

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

```
+ 0.2 cfs <flo-ch> - T17 (new), 01K (existing), No MD
```

- 0.2 cfs - No MD <flow chart>

Drilling Permit:

Included w/permit - Permit No. - - - - , P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <flow chart>

LOCATION:

Water District(dem) - WD No.

*Surface water - 005 (req) 01J-P08 <flow chart>

(doesn't sink) or 01H-P01 <flow chart>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° Groundwater temp)

Swan Falls Flag - B <See condition code chart>

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)

Irrigation - 803 (if GW use SW 1st) (+5A do POU comp), NA

Power - 08A-17K-025-027 (req); 01F(MD) -P19; 09E(WQ) -P10;
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU) Central Pre-Mix C

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS:

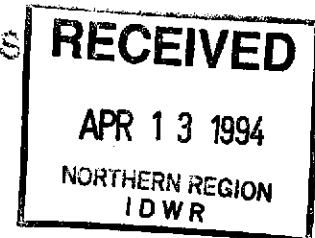
REMARKS: - ① W01 (120) ② W04 (unit) ③ W05

BENEFICIAL USE DUE:

COMMENTS: - ① P/U & P/D owner. ② Div Desc. ③ Corp Off

Facsimile Cover Sheet

To: AL BEARDSLEY
Company: DEPT. WATER RESOURCES
Phone:
Fax: 208-785-1464



From: MARY CONNAWAY
Company: McCormack Properties of Idaho
Phone: 208-664-5700
Fax: 208-664-5577

Date: 4/13/94
Pages including this
cover page: 1

Comments:

LIST OF CORPORATE OFFICERS FOR MCCORMACK PROPERTIES OF
IDAHO, INC. AS PER YOUR REQUEST:

PRESIDENT:	MICHAEL T. MCCORMACK
VICE PRESIDENT:	SIGNA MCCORMACK
SECRETARY:	BRETT TERRELL
TREASURER:	LEI TAMURA
EXECUTIVE VICE PRESIDENT:	PETER FORSCH

IF YOU HAVE ANY QUESTIONS, PLEASE CALL MARY OR JIM AT THE
ABOVE NUMBER.

Mary Conaway
SEP 12 1994

No. a
4/87-06/92n

IDA DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # _____

***** INITIAL REVIEW *****

APPLICANT: McCormick BY: AB DATE: 3/11/94

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

- Y Field check: by _____
Y Field report attached
Y Analysis Supp. attached(>5cfs/500af)
Y Water delivered by water master?
Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 3/4/94

Y (Include Moratorium Remark)

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

ADVERTISE IN: Kootenai County.

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 *****

(Yes) (No)

Checked by: _____

Date: _____

Remarks: _____

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

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APR 20 1994

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- Notice of pending void order issued. Final order response date: _____
Further information required from applicant
Y Affidavit of publication received
Y Application published correctly, If not, record action taken: _____
Y Publication dates and paper recorded on application | Sr. Agent initial AB
Y Protests received. Final protest date: 4/4/94
Measuring device required
Measuring port required
Special conditions: _____
Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: AB PMA

Date: 4/14/94

95-08856

MC CORMACK PROPERTIES OF IDAHO INC
401 FRONT ST STE 3
COEUR D ALENE, ID 83814

Source: GROUNDWATER

Diversion Pt: SESWNE Sec 10 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION	(1.000 CFS)
DOMESTIC	(1.000 CFS)
FIRE PROTECTION	(1.000 CFS)
Total Diversion:	(1.000 CFS)

Date Filed: 3/ 4/1994

In: KOOTENAI County				
T50N R04W S21	NENE	NWNE	SENE	NESE

52.0 ACRES TOTAL

SEP 12 1994