

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-7827

Priority: March 29, 1978 Amount: .20 CFS 55.2 AFA

This is to certify, that HAYDEN PINES WATER CO.

8601 N. HAYDEN PINES WAY

HAYDEN LAKE, ID 83835

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated March 29, 1978, and has submitted proof to the Department of Water Resources on March 9, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .87 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.20 cfs	55.2 afa

LOCATION OF POINT OF DIVERSION(S): SWNW , Sec. 8, Township 52N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

52N	3W	5	NESE	NWSE	SWSE	SESE
		6	LOT 3(NENW)	LOT 4(NWNW)	LOT 5(SWNW)	SESW
			NESW	LOT 6(NWSW)	LOT 7(SWSW)	LOT 8(SSEW)
			LOT10(SWSE)			
		7	SENE			
		8	NWNW	SWNW		

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 46 homes within Chilco Estates.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 29th day of March, 1988.

MICROFILMED

Director

State of Idaho
Department of Water Resources

MAR 16 1988

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7827

Department of Water Resources

Date of Priority: March 29, 1978

Comes now HAYDEN PINES WATER CO.
8601 N. HAYDEN PINES WAY
HAYDEN LAKE, ID 83835

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 95-7827 , and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.20 cfs	55.2 afa

LOCATION OF POINT OF DIVERSION(S): SWNW , Sec. 8, Township 52N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

52N	3W	5	NESE	NWSE	SWSE	SESE
		6	LOT 3(NENW)	LOT 4(NWNW)	LOT 5(SWNW)	SESW
			NESW	LOT 6(NWSW)	LOT 7(SWSW)	LOT 8(SES)
			LOT 10(SWSE)			
		7	SENE			
		8	NWNW	SWNW		

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Hayden, ID , this 11 day of Mar , 19 88.

MICROFILMED

APR 06 1988

Charles A. Fenzl
(Signature) President

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7827

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 Received by rg Date 3/16/88
ACTION OF THE DEPARTMENT OF WATER RESOURCES #C000159

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 95-7827 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 46 homes within Chilco Estates.

Witness my hand this 29th day of March, 1988.

R. Keith Higginson
(Director)

RECORDED

APR 06 1988

Identification No. _____

Application No. 95-7827

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- Hayden Pines ~~Water~~ Co a Div of
Idaho Contractors Inc Phone: 7723619
1. Name of applicant _____
post office address P.O. Box 883, Coeur d' Alene, Idaho
2. Source of water supply Ground Water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6 Township 52 N 1 E
Range 3 W B.M. Kootenia County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .20 CFS for Domestic purpose from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Well, pump & pipeline to place of use

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur 1 Jan to 31 Dec inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 160 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 25,000.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6 Township 52 N 1 E
Range 3 W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

Pines Water Co
(4) Name of municipality to be served Chilco Service Area Hayden, or number of families to be
supplied with domestic water 50.
(5) If water is to be used for other purposes describe: _____

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres to be irrigated _____

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

9. a. Who owns the property at the point of diversion Hunt Bros Construction Co

b. Who owns the land to be irrigated or place of use Persons owning property within the

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the Chilco Service area of Hayden Pines Water Co.

applicant to make this filing Well Area will be sold to Water company.

10. Remarks _____

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

• PD# Place
of use

SEC 6
T52N
R3W

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.

Charles A. Fung
(Applicant)
President

Proposed Priority 3/29/78

Received by B Date 3-29-78 Time 10:15 AM

Preliminary check by AK Fee \$ 10.00

Receipted by B Date 3-29-78 (10812)

Publication prepared by B Date 3-29-78

Published in Corn & Wheat News

Publication dates 4-6 & 13-78

Publication approved SDW Date 4-21-78

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RAJ/g

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7827, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 83.
- c. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

2. Denial of said application is for the following reasons: _____

Witness my hand this 25TH day of _____ May 19 78.

Norman C. Young
Administrator

MEMORANDUM

To: Files 95-2151/2182/7949/7107/7138/7713/7827/8522/8639

From: Sharla

Date: October 11, 2002

Re: Ownership Change Requests

In response to my letter of October 4, I spoke with Nechia at Welch Comer & Associates. The ownership changes were filed to reflect that North Kootenai Water District (NKWD) has purchased the wells identified in these rights (with the exception of 95-2151, 95-2182 and 95-7949, which were purchased by the City of Rathdrum). The problem with the documentation that was submitted is that it is not readily evident that now as part of the city's or district's public water supply, these wells continue to serve the areas described in the rights as part of the city's/district's municipal supply.

Knowing what I know now, based on the above, I told Nechia that the City of Rathdrum and NKWD need to file transfer applications for these rights to change the nature of use to municipal. I further told her that whatever fees had been applied to the ownership changes could be applied to the transfer application(s) because the ownership changes will be processed via the transfer(s). Nechia stated she would download the forms from the web and start the process; Welch Comer & Associates is handling these changes for both the City of Rathdrum and NKWD.

The ownership documentation will be placed in the files and the files will be returned to the vault shelves while waiting for transfer applications to be filed.

cc: Northern Region

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MAR 29 2004

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

ORIGINAL
RECEIVED
MAY 20 2002

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Department of Water Resources

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
95-7827					

2. The following **REQUIRED** information must be submitted with this form:

- a. The appropriate **FILING FEE**. See instructions for fee amounts.
- b. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question. **WITH ATTACHED LEGAL DESCRIPTION.**
- c. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Hayden Pines Water Company
8601 W. Hayden Pines Way
Hayden Lake, Idaho 83835

4. New Owner/Claimant(s)

North Kootenai Water District

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 2290

City, State and ZIP Code

Hayden, Idaho 83835

New Telephone Number

(208) 772-3619

5. Date you acquired the property

1996

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MAY 29 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate space in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre- feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre- feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(S) or Claimants(s)
(include title if applicable)

E. C. Smith
President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by JB
 Receipted by JB
 Processed by _____ AJ

Date 5/16/02
 Date 5/16/02
 Date _____

Fee \$25⁰⁰
 Receipt No. 10015013
 WR _____ Date _____

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MAR 29 2004



EXHIBIT "A"

That portion of Tract 89 and the North half of Tract 96, SPOKANE VALLEY COMMERCIAL ORCHARD TRACTS, according to the plat recorded in Book "C" at Plats at pages 120 and 121.

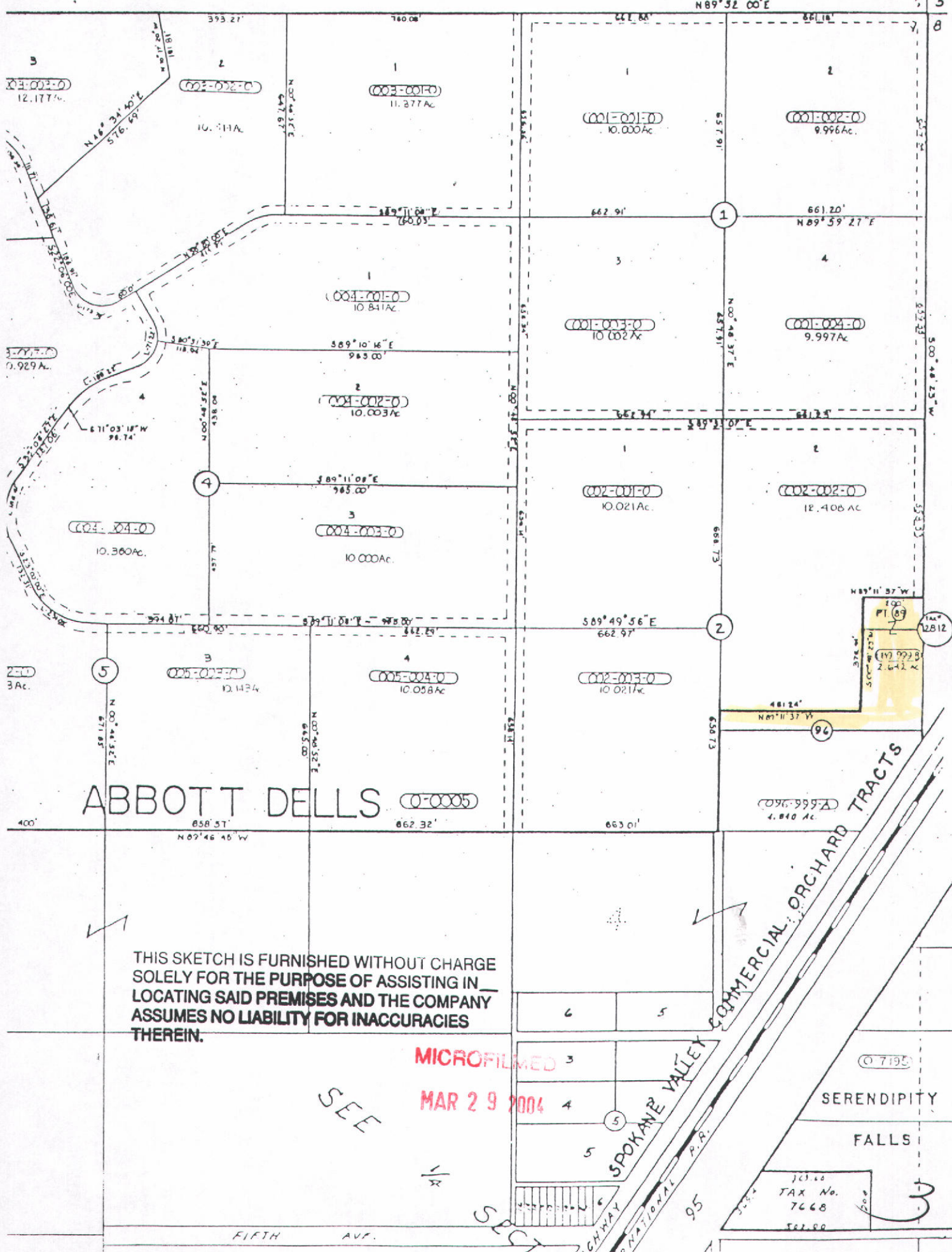
LESS AND EXCEPT any portion lying within the plat of ABBOTT DELLS, according to the plat recorded in Book "F" of Plats at pages 246 and 246A, records of Kootenai County, State of Idaho.

LESS AND EXCEPT All that property encompassed by a 55 foot radius circle whose radius point lies South $0^{\circ}33'51''$ West 1,999.54 feet; thence

South $89^{\circ}26'9''$ East, 31.32 feet from the Northwest corner of Section 8, Township 52 North, Range 3 West, Boise Meridian, all lying within the Northeast quarter of Section 7, Township 52 North, Range 3 West, Boise Meridian, and the Northwest quarter, Section 8, Township 52 North, Range 3 West, Boise Meridian, records of Kootenai County, Idaho.

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MAR 29 2004

Twp. 52 N.R. 3 W.B.M.



THIS SKETCH IS FURNISHED WITHOUT CHARGE
SOLELY FOR THE PURPOSE OF ASSISTING IN
LOCATING SAID PREMISES AND THE COMPANY
ASSUMES NO LIABILITY FOR INACCURACIES
THEREIN.

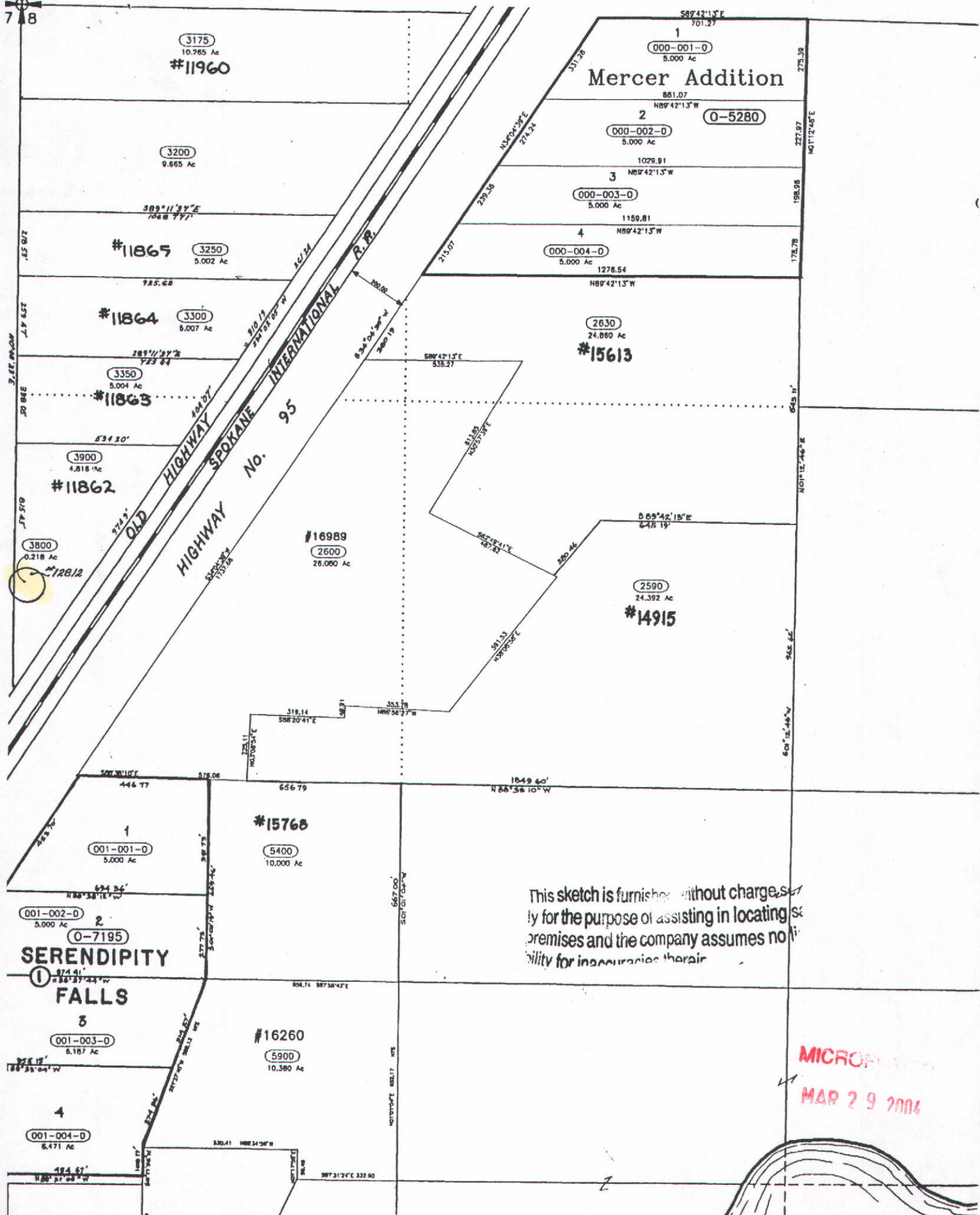
MICROFILMED
MAR 29 2004

SEE

SERENDIPITY
FALLS

TAX No.
7668

6 5
7 8



This sketch is furnished without charge solely for the purpose of assisting in locating premises and the company assumes no liability for inaccuracies therein

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MAR 29 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

95-7827
Permit No.

MAY 2 1985

1. **Measurement Calculations**

Department of Water Resources

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

SEE 219A #7

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

$$\begin{aligned} (1.9835)(365)(0.2) &= 144.8 \text{ AF} \\ (46)(1.2) &= 55.2 \text{ AF} \end{aligned}$$

2. **Overlap Review**

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

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APR 06 1988

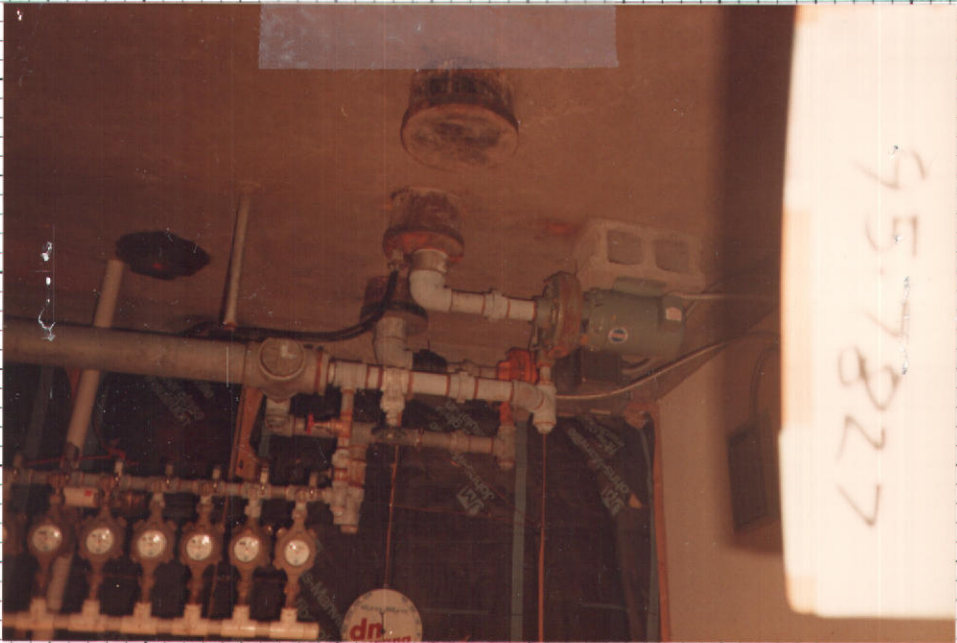
RECOMMENDED AMOUNTS

- [illegible]

Phone No. 772-3619

[illegible]

10. Other water rights on these lands None
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached

- ☒ Aerial Photo of Place of Use Attached
☒ or Map of Irrigated Acreage Attached

14. Remarks

15. Recommended Amendments
- ☒ Change P.D. as reflected above
- ☒ Change P.U. as reflected above
16. Examiners/Consultant's Signature [Signature] Date 11/8/84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct _____
- Beneficial Use Examination _____

RECORDED

APR 06 1988

Date

CONSULTANT SEAL

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Hayden Pines

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) SR 3-29-78

In form to receipt

(2) RJA 4-25-78

Send Copies to:

☒ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) SR 3-29-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) SW 4-21-78

Affidavit of Publication received(date) 4-21-78

(12) _____

Final date for protests 4-24-78

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

3-29-78 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 4-25-78

RECEIVED

APR 27 1978

Department of Water Resources

MICROFILM

IDENT. NO. 95-7827

WATER RIGHT
DATA ENTRY LOG

[illegible]

1. ☒ Name vs. Signature (*Pers.*) 7. ☒ Place of Use for other than irrig.
2. ☒ Source 8. ☐ Place of Use for irrigation (add acres)
3. ☒ Point of Diversion 9. ☒ Property Owner at Pt. of Div. &
Pl. of Use
4. ☒ Amnt. & Period of Use 10. ☒ Map
5. ☒ Descrip. of Diverting Wrks. 11. ☒ Fee & Rec't. No.
6. ☒ Time req. for Proof of B/U

Copies Sent To:

☒ Idaho Health Department ☐ U.S.F.S.
☐ Idaho Fish & Game Dept. ☐ Dept. of Lands
☐ Bureau of Land Management ☐ Other

Dam Safety Information _____ (Goes to Permit Section)

Check:

Critical G.W. Area _____ yes ☒ no

Other rights on same land None - Don

Withdrawals of all protests received _____ yes _____ no

Conditions:

ID Power Co. Letter - Snake R. _____

Meas. Dev. or Sc. Meas. no

ID Power Co. Letter - G.W. & Tribs. _____

Totalizing meter _____

Snake River Condition _____

Supplemental _____

Payette River Letter _____

Right-of-Way Cond. ☒

Priority Date 3-29-78

Watermaster Cond. _____
Wtr. Dist No. _____

Water Quality #16 _____

Meas. Dev. Cond. for apps within
a Water Dist. _____

Jan Grover
Reviewer
5-23-78
Date

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Hayden Pines Water Co
PO Box 883, Coeur d'Alene, Id
has on March 29, 1978 submitted Application No. 95-7827
for a permit to appropriate 0.20 cubic feet per second ~~agxxxxfeetxpxxxxxxxxm~~
of water from a groundwater source
by means of a well, pump & pipeline
within the NW1/4 NW1/4 Sec 6, T52N, R3W, B.M., Kootenai County

to be used from Jan 1 to Dec 31
for domestic purposes for 50 households in the Chilco Area

within the NW1/4 NW1/4 Sec 6, T52N, R3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 24, 1978.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Id
on April 6 and April 13, 1978