

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-7162

Priority: January 25, 1972 Amount: .03 CFS 1.2 AFA

This is to certify, that RICHARD L. KOHLS
MARIAN J. KOHLS

31434 W. NINE DR.

LAGUNA NIGUEL, CA 92677

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 28, 1971, and has submitted proof to the Department of Water Resources on February 22, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .03 cfs of water from;

HAYDEN LAKE

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	.03 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SENW), Sec. 16, Township 51N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

51N 3W 16 LOT 3(SENW)

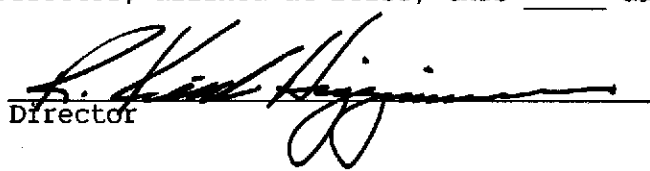
CONDITIONS/REMARKS:

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. Place of use also known as Lot 26, 1st Addn., Block B, English Point Building Sites.

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 18th day of November, 19 87.

MICROFILMED

MAR 17 1988


Director

State of Idaho
Department of Water Resources

RECEIVED
OCT 23 1987

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7162

Department of Water Resources

Date of Priority: January 25, 1972

Comes now RICHARD L. KOHLS
MARIAN J. KOHLS
31434 W. NINE DR.
LAGUNA NIGUEL, CA 92677

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. 95-7162, and requests that the permit be changed as follows:

Source: HAYDEN LAKE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.03 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SENW), Sec. 16, Township 51N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

51N 3W 16 LOT 3(SENW)

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 Laguna Niguel, CA this 20th day of October, 19 87.

MICROFILMED

MAR 17 1988

(Signature)

Richard L. Kohls
Marian J. Kohls

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7162

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 Receipted by if Date 10-23-87 #45393

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 95-7162 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. Place of use also known as Lot 26, 1st Addn., Block B, English Point Building Sites.

Witness my hand this 18th day of November, 1987.

R. Keith Higginson
(Director)

RECORDED

MAR 17 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 95-7162 IN THE)
NAME OF RICHARD L. AND MARIAN J. KOHLS) ORDER OF REINSTATEMENT
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1982; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holders that the permit has lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on February 28, 1983;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-7162 be REINSTATED and the priority advanced to January 25, 1972.

Dated this 2nd day of March, 1983.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE TIME OF
THE DATE PROOF OF BENEFICIAL USE OF WATER
IS DUE ON PERMIT NO. 95-7162 in the name
of RICHARD L. KOHLS AND MARIAN J. KOHLS

ORDER

WHEREAS, on October 28, 1971, Richard L. & Marian J. Kohls filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 0.03 cubic feet per second of water from Hayden Lake to be diverted within Lot 2, Sec. 16, Twp. 51N, Rge. 3W, B.M., Kootenai County, to be used for domestic purposes; and,

WHEREAS, on January 4, 1972, the Department approved said application and issued Permit No. 95-7162 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before January 1, 1977; and,

WHEREAS, the permit holders submitted a request for an extension of time of the beneficial use of water on November 26, 1976; and,

WHEREAS, it appears that under the circumstances, the permit holders have been proceeding with reasonable diligence and have given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 95-7162 be extended to December 1, 1982.

Dated this 2 day of December, 1976.


for A. KENNETH DUNN
Administrator, Operations Division

Identification No. 95-7162

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Richard L. Kohls and Marian J. Kohls - Husband and Wife
post office address 3404 Vendome Ave. Yakima, Wash. 98902 - 509-45-26176
2. Source of water supply Hayden Lake, Idaho which is a tributary of _____
Lot 26, of First Addition to Block B, The English Point Building Sites; according to Plat
3. a. Location of point of diversion 1/4 of Section 16, Township 51N, Range 3W, B.M.
Recorded in Book D of Plats at page 150, records of Kootenai County Idaho. Plat located
in or adjoining Government Lot 2, Section 16 Twn. 51N. Range 3, W.B.M.
b. If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M.
4. Water will be used for the following purposes: _____ each year
Amount Total for domestic purpose from Jan. 1 to Dec. 31 (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. .03 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pipe into lake 1 1/2 hp. pump to bring water
out of lake into storage tank to provide water for Domestic 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 _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
up to is 5 yrs. years. (Dependent upon exact time residence is constructed for permanent
home. Exact time at this time unknown)
b. Estimated construction cost is \$ 500.
8. Description of proposed uses:
a. If water is **not** for irrigation: (1) Lot 26 of 1st addition to Block B, English point Building
(4) Give the place of use of water: 1/4 of 1/4 of Section _____ Township _____
Sites, according to Plat recorded in Book D of Plats at page 150 records Kootenai
Range _____ B.M. county Idaho Plat located in or adjoining Govt. Lot 2, Sec 16, Twn. 51N. Range 3W. B.M.
(2) Amount of power to be generated: 1 1/2 hp under _____ feet of head.
(3) List number of each kind of livestock to be watered none
(4) Name of municipality to be served none, or number of families to be
supplied with domestic water One
(5) If water is to be used for other purposes describe: Sprinkle plants and flowers at residence

95-7162

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

TWP.	RANGE	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	

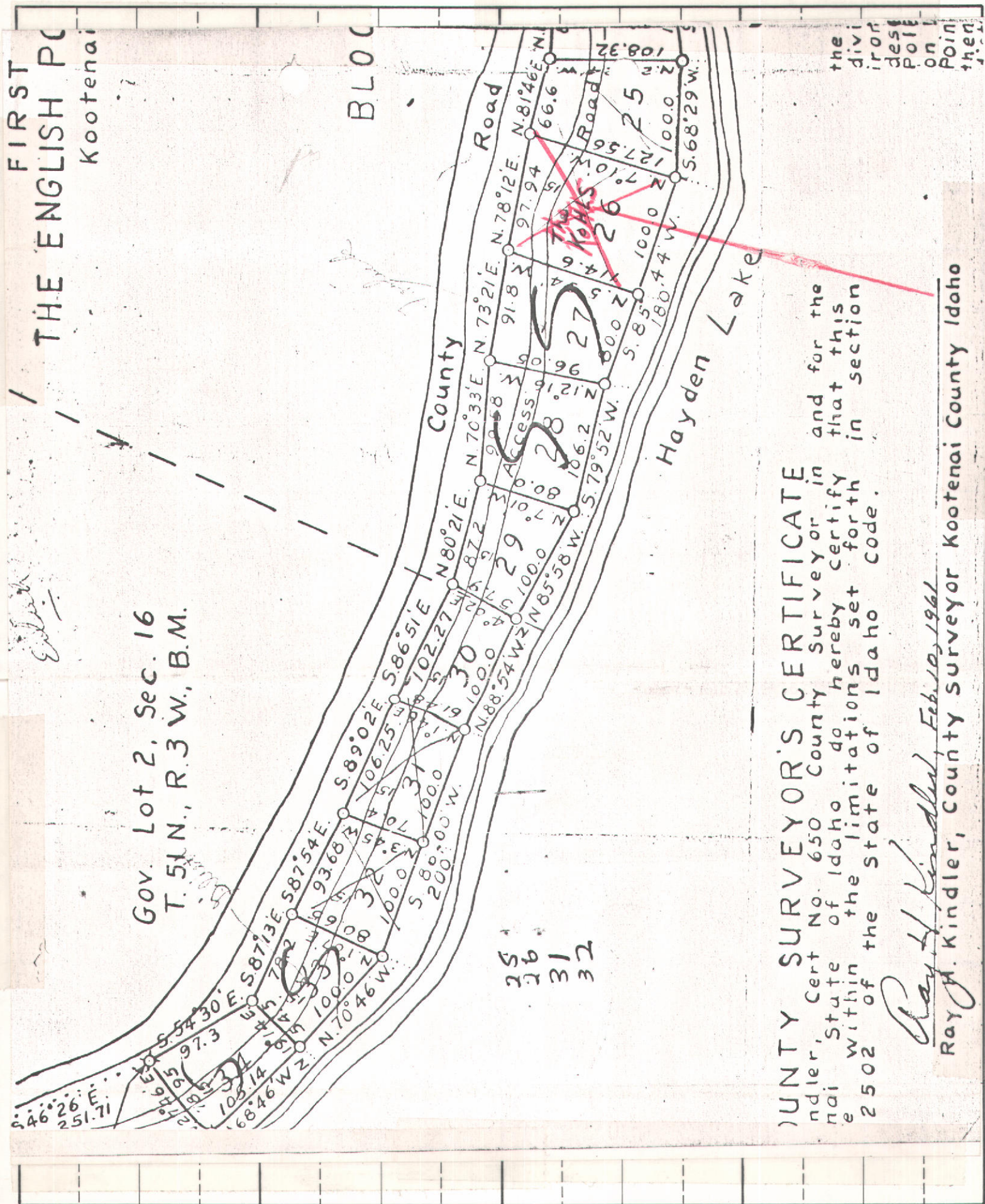
Total number of acres to be irrigated _____

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 at use, Lake bottom, Hayden Lake
Applicants (undersigned) - State of Idaho
 b. Who owns the land to be irrigated or place of use Richard L Kohls, Marian J. Kohls - Applicants
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks It is our intention to construct a permanent residence upon the property where we will reside. The exact time for accomplishing this is at this time uncertain in view of present employment.

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



95-7162

Received by Date 10/28/71 Time 8:00 AM
 Preliminary check by Fee \$ 10.50
 Receipted by Date 10-29-71
 Publication prepared by CR Date 11-10-71
 Published in Coeur d'Alene Press
 Publication dates 11-18 & 11-25-71
 Publication approved CR Date 12-22-71
 Priority ~~reduced to~~ 10-28-71 Reason

Protests filed by:

 Copies of protests forwarded by
 Hearing held by Date
 Recommended for approval denial by BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 95-7162, and said application is hereby APPROVED.

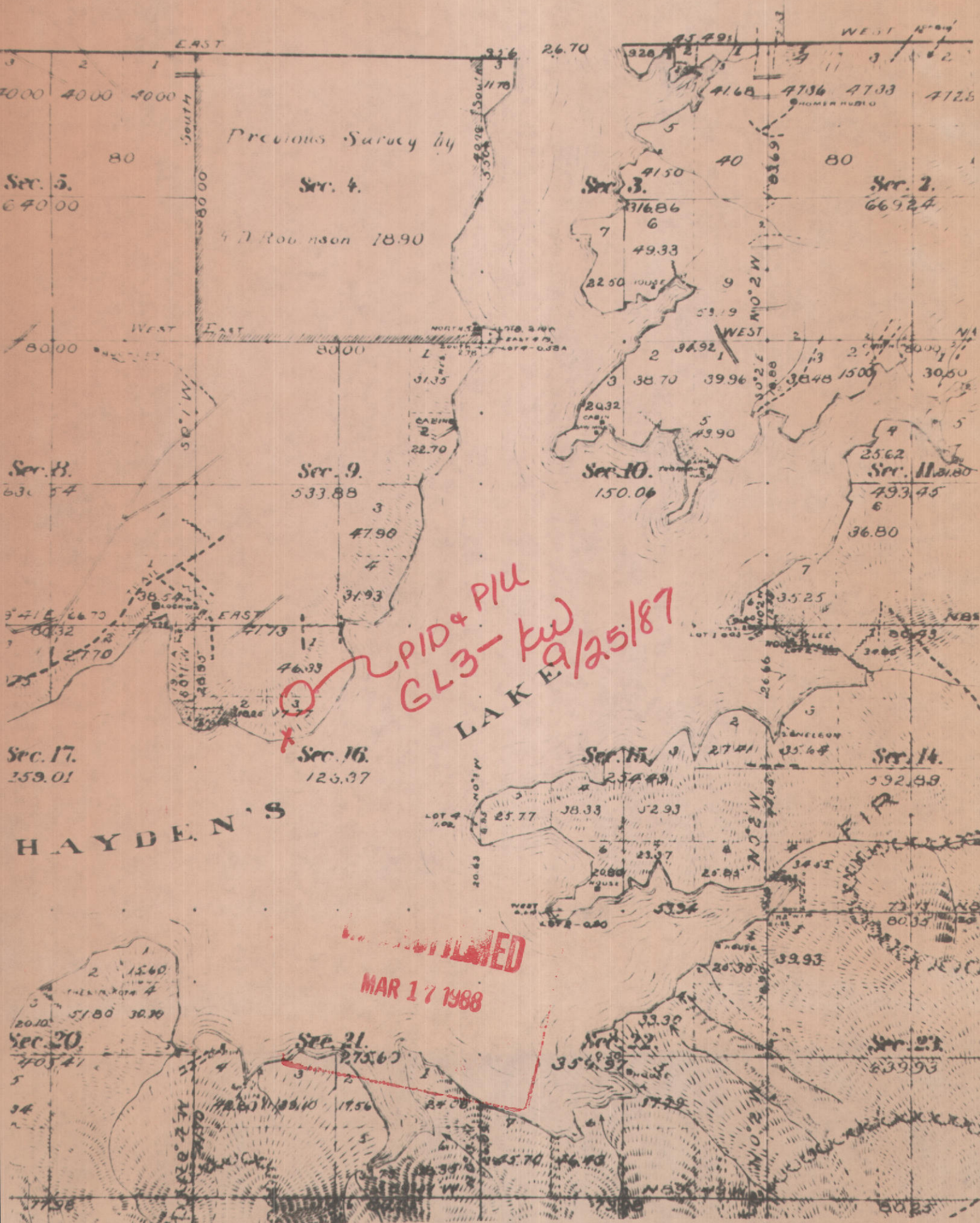
1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and ~~application~~ of water to beneficial use shall be submitted on or before January 1, 19 77.
 - c. Other:

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

Witness my hand this 4 day of January, 19 72.

R. Keith Higinbotham
 Director

<i>c</i>	<i>E</i>	<i>d</i>	<i>D</i>	<i>c</i>	<i>C</i>	<i>b</i>
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State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7162

Date of Priority: January 25, 1972

Comes now RICHARD L. KOHLS
MARIAN J. KOHLS
31434 W. NINE DR.
LAGUNA NIGUEL, CA 92677

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. 95-7162, and requests that the permit be changed as follows:

Source: HAYDEN LAKE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.03 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 3(SENW), Sec. 16, Township 51N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

51N 3W 16 LOT 2(SENW)

he was
also concerned
about returning
amendment
by tomorrow -
he has been on
vacation since
Aug. 23...

9-24-87
talked to
Mr. Kohl's -
he is concerned
about this legal
discrepancy - told him
to ignore - first letter
and we would review
and send him
a new letter
requesting the
amendment
KID

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 _____, this _____ day of _____, 19____.

MAR 17 1988

(Signature)

Mr. Kohl's
phone number is: 714-493-5332

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

30 DAY

95-7162
Permit No.

1. **Measurement Calculations**

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

Exam. est. cap. as 0.03

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

(1) Home = 1.2 AF.

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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MAR 17 1988

RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| 95-7162 | 1-25-72 | 0.03 | 10-28-71 | 2-22-83 | 0.03 |

3. Permit Holder: Richard L Kohls end Marian J Kohls
Address: 31434 West Nine Drive - Laguna Niguel, CA, 92677

5. Source: _____ tributary to _____

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	1-1	12-31	0.03	1.2

Allowable Maximums: 0.03 1.2

7. Point(s) of Diversion:

No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County
	G/L 3		SE	NW	16	S/N	3w	Kootenai

8. Place(s) of Use

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	
S/N	3w	16								X									
										C									
										L									
										3									
										P.W									
										a/25/87									

Total Acres _____

9. Recommended Conditions/Remarks:

10. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other _____

11. Examiner's Signature _____ Date _____
Checked in Regional Office by _____ Date _____
Approved in State Office by Ron Howerton _____ Date 10 Aug'87

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

95-7162

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	5-16-83	JK	
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 4/24/84 Accompanied by u Total Q measured _____
If source is surface water, estimate total flow of source _____
Methods of measurement Est Meets Permit requirements? _____

Measurement calculations:

One home no lawn or garden @ this time

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description Submersible pump & pipe line to home

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement = _____ AFA/Acre			
	Q (cfs)	V (afa)	FROM	TO
<u>Domestic</u>	<u>0.03</u>	<u>0.2</u>	<u>1-1</u>	<u>12-31</u>
Total	<u>0.03</u>	<u>1.2</u>		

Remarks GL 3 - assessor's office

INDEXED

MAR 17 1988

MAP (Attach Aerial Photo)

[illegible]

SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: GH 3 (SE NW), Sec 16, T 51 N, R 3 W

Place(s) of Use

[illegible]

Recommended Amendments:

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature

Checked by

Approved by

Date _____

Date _____

Date _____

RECEIVED
WASHINGTON
MAY 17 1984

TOWNSHIP 51 N., RANGE 3 W.
KOOTENAI COUNTY, IDAHO

95-7162

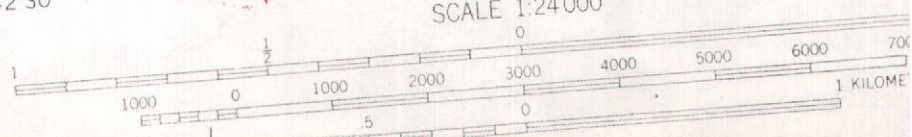
Department of Water Resources





MICROFILMED
MAR 17 1988

Published by the Geological Survey



CALCULATION OF NEW PRIORITY DATE

FROM: Rita Fleck

TO: File # 95-7162

DATE: March 2, 1983

30

Dec. 1 to Dec. 31

Jan 1 to

Feb. 28

(Dec. 1, 1982)

Date Proof Received

59

Proof Due

89

Number of Days Proof Late

Priority Date

301

Oct. 28, 1971

Number of Days Proof Late

89

New Priority Date

390

365

25

= Jan. 25, 1972

Remarks

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Richard L. and Marian J. Kohls,

3404 Vendome Avenue, Yakima, Washington

~~have~~ ~~has~~ on October 28, 1971 submitted Application No. 95-7162

for a permit to appropriate 0.03 cubic feet per second ~~and use of said water for~~

of water from Hayden Lake

by means of pipe and pump

within ~~the~~ Lot 26 of 1st addition to Block B of the English Point Building Sites,

within Government Lot 2, Sec. 16, T. 51N, R. 3W, B.M., Kootenai County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within ~~the~~ Lot 26 of 1st addition to Block B of the English Point Building Sites,

within Government Lot 2, Sec. 16, T. 51N, R. 3W, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before December 6, 1971.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho

on Nov. 18 and Nov. 25, 1971.

95-7162

