

February 1999

Rocky Beach Water & Sewer District
Spirit Lake, ID 83869

● FIRST 38 MEMBERS WHEN THE DISTRICT WAS FORMED-1978

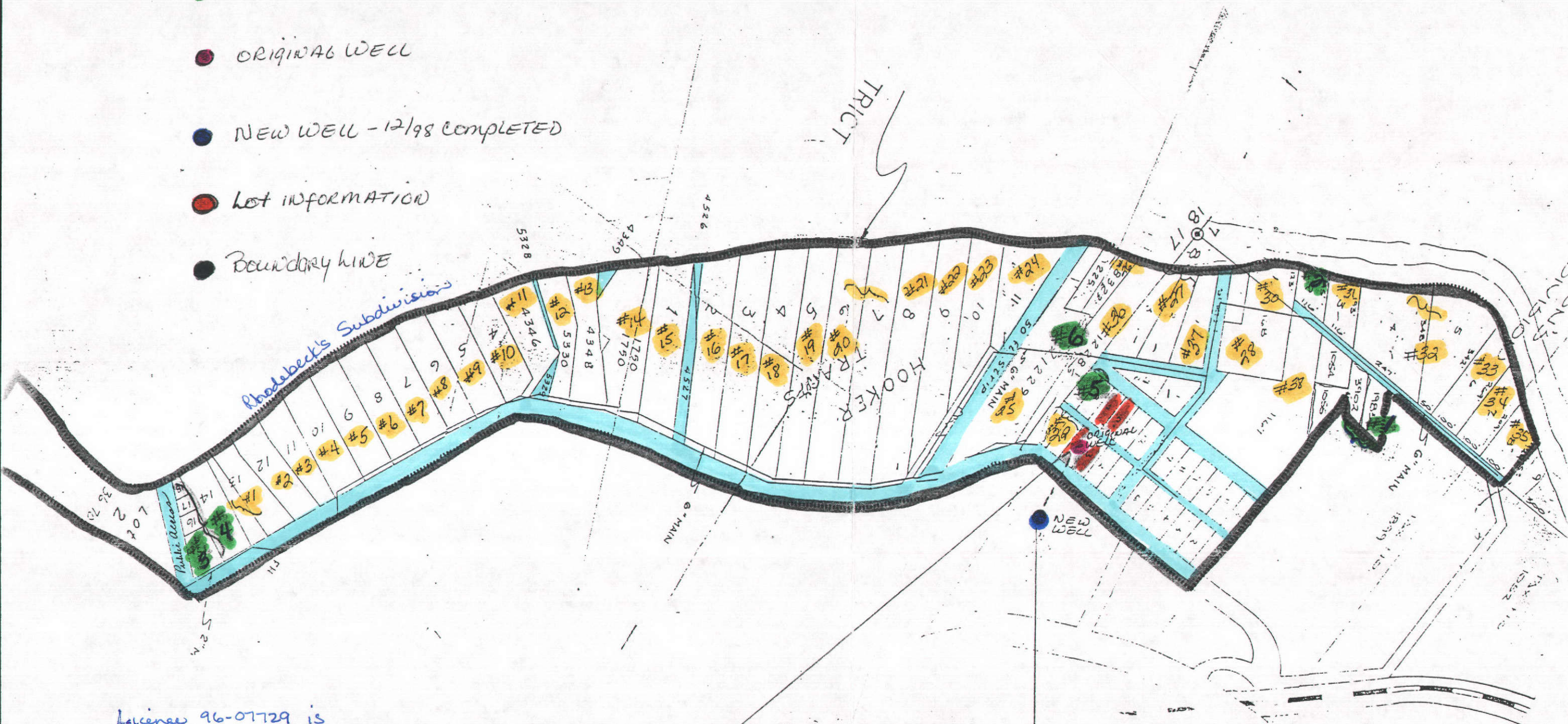
● SIX NEW MEMBERS SINCE 1978

● ORIGINAL WELL

● NEW WELL - 12/98 COMPLETED

● LOT INFORMATION

● BOUNDARY LINE



License 96-07729 is
all yellow highlighted
plus #1 & #2 of green highlight
from original well.

Permit 96-09011 is all remaining
lots excluding blue highlighted
public access lots from new
well & original well

The highlighted lots
are impacted by the
District's use & can't
be built on by themselves.

New well drilled and
connected to existing pump
house and holding tank.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-09011

Proposed Priority: October 16, 1998 Maximum Diversion Rate: 0.33 CFS

This is to certify, that **ROCKY BEACH WATER DISTRICT**
PO BOX 126
SPIRIT LAKE ID 83869-0126

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	0.23 CFS
DOMESTIC	01/01 to 12/31	0.33 CFS
	Totals	0.33 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SWSW), Sec. 8, Township 53N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
53N	04W	7	SESE 4.0			4.0
		8	SWSW 13.0			13.0
		17	NENW 2.0	NWNW 18.0	SWNW 2.0	34.0
			SENW 12.0			

Total number of acres irrigated: 51.0

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 2004**.
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. 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.

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APR 15 1998

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

NO. 96-09011

CONDITIONS OF APPROVAL AND REMARKS

6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Two points of diversion are located within SWSW, S08, T53N, R04W.
9. Place of use is located within Rocky Beach Water District boundaries.
10. Domestic use is for 32 homes and does not include lawn, garden, landscape, or other types of irrigation.

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

8th day of March, 1999.

J. Glen Saylor
for Karl J. Dreher, Director

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Ident. No. 96-09011

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

JAN 13 1999

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant Rocky Beach Water District Phone (208) 623-6523
Mailing address P. O. Box 126, Spirit Lake, ID 83869
2. Source of water supply a underground source ~~(Rocky Beach River)~~ which is a tributary of N/A
3. Location of point of diversion is Township 53N Range 04W Sec. 8, in the SW 1/4, SW 1/4, 1/4, Govt. Lot 3, B.M., Kootenai County;
additional points of diversion if any: Same legal description as above for additional well.
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>0.33 cfs</u> for <u>Domestic</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>0.23</u> for <u>Irrigation</u> purposes from <u>3/15</u> to <u>11/15</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) 0.33 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 Two wells with two pumps
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed ^{wells} ~~well~~ diameter is 8 inches; proposed depth of ^{wells} ~~well~~ is 500 to 520 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? No; Drilling firm Out for bid
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 5 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. 60 32 per subdivision plat. 3/3/99
- e. Other; describe fully. _____

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APR 15 1999

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	4W	8											13 D						13
53N	4W	7															4 D		4
53N	4W	17					2 D	18 D	2 D	12 D									34

Total number of acres to be irrigated 51

10. Describe any other water rights used for the same purposes as described above. First well license of water right #96-07729

11. a. Who owns the property at the point of diversion? Rocky Beach Water District

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: We are planning an upgrade of our water system and to provide for a second source of water

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.

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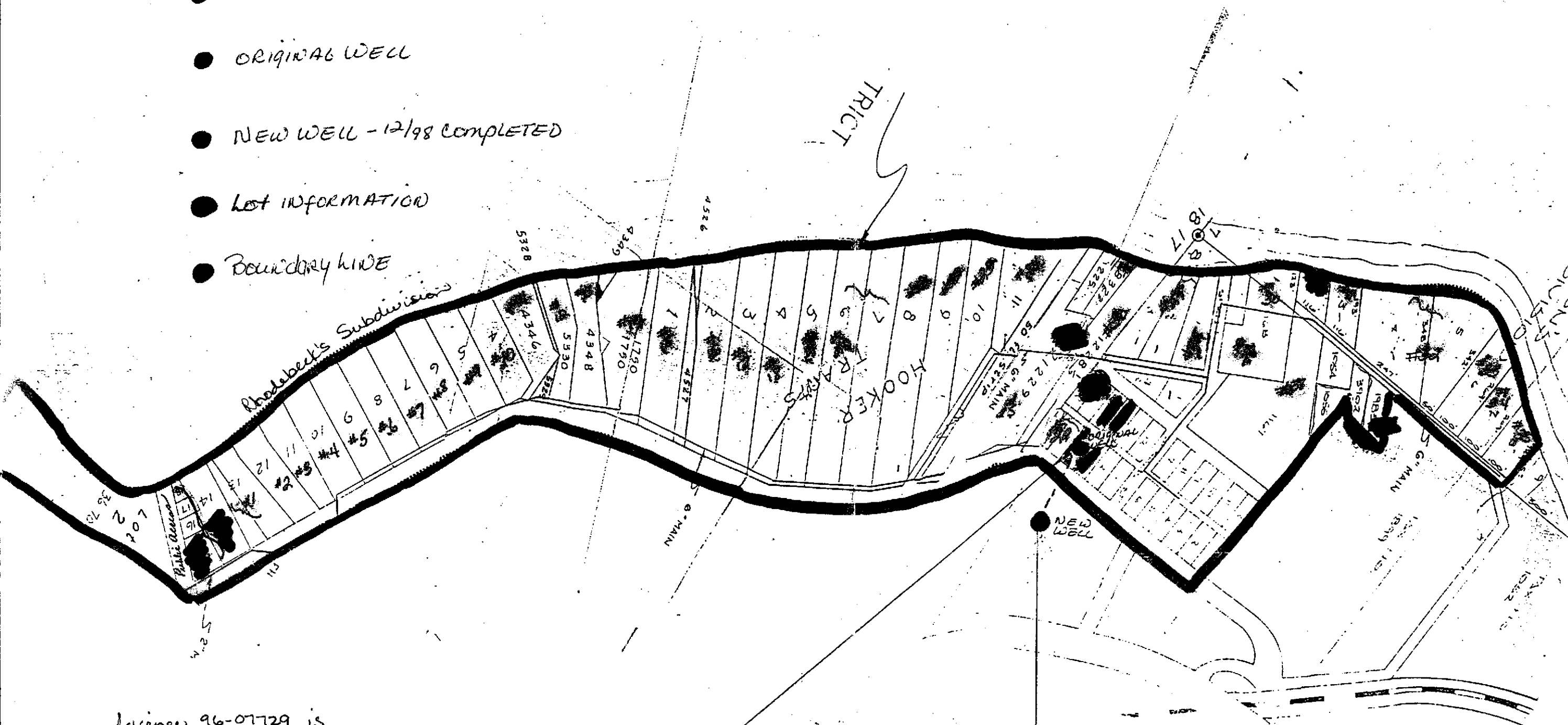
Donna Kretsch Chairman
Signature of Applicant (and title, if applicable)

Received by db Date 8/31/98 Time 12:00 noon Preliminary check by db
Fee \$ 100.00 Received by db # N012368 Date 8/31/98
Publication prepared by db Date 11/24/98 Published in CDA Press 12/3+10/98
Publication approved db Date 12/14/98 Date 12/14/98

February 1999

Hochy Beach Water & Sewer District
April 1986, CD 83869

- FIRST 38 MEMBERS WHEN THE DISTRICT WAS FORMED-1978
- SIX NEW MEMBERS SINCE 1978
- ORIGINAL WELL
- NEW WELL - 12/98 COMPLETED
- LOT INFORMATION
- BOUNDARY LINE

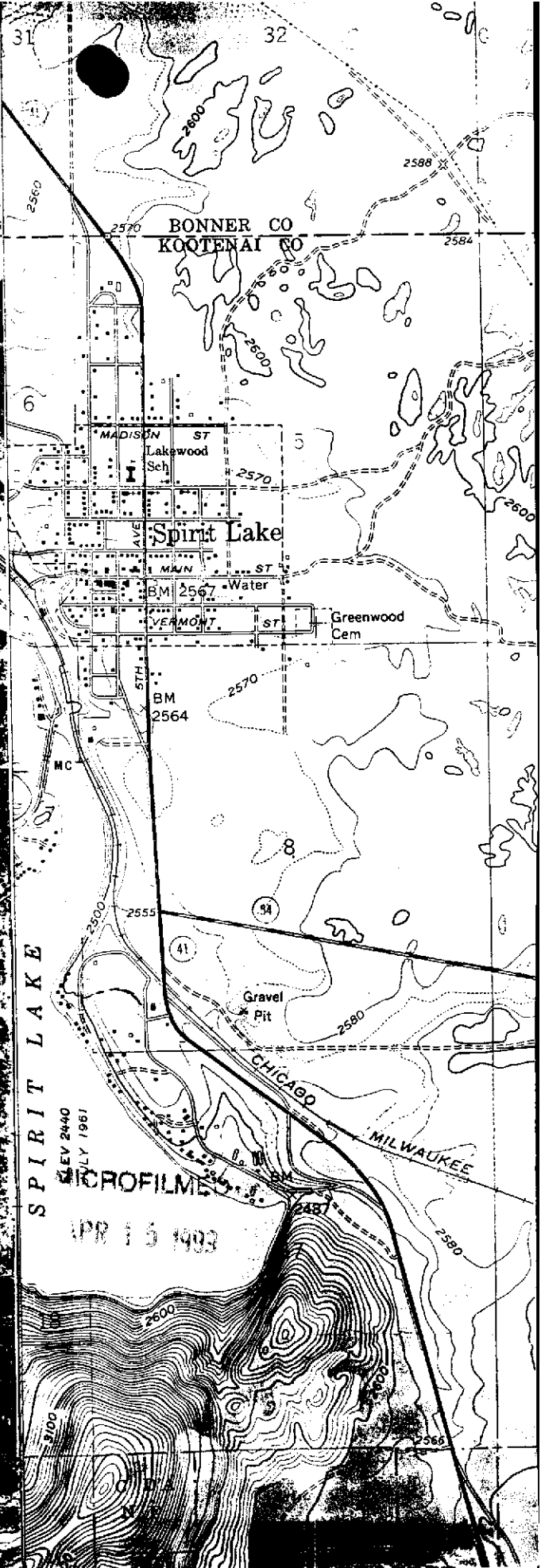


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lots excluding blue highlighted
public access lots from new
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The temples & temples
are impacted by the
disturbances & can't
be built on by the mindless.

New well drilled and
connected to existing pump
house and holding tank



T.530-4

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

March 5, 2004

ROCKY BEACH WATER DIST
PO BOX 126
SPIRIT LAKE, ID 83869-0126

LAPSE NOTICE

RE: PERMIT NO. 96-9011

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated December 31, 2003. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

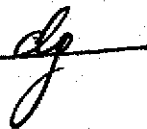
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

Sincerely,

Gary Spackman

Enclosures

CERTIFICATION OF MAILING
I hereby certify that on 3/5/04
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



CERTIFIED MAIL

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098

Return Service Requested



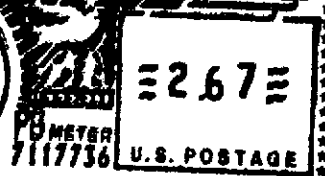
7000 1530 0000 9414 4229

RECEIVED

JAN 23 2004

Department of Water Resources

- ☐ Not Deliverable As Addressed
- ☐ Unable To Forward
- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☒ Unclaimed ☐ Refused
- ☐ Attempted - Not Known
- ☐ No Such Street ☐ Number
- ☐ Vacant ☐ Illegible



NAME _____
1st Notice 1/31/04
2nd Notice 1/4/04
Return 1/17/04

Return to:
Post Office Box
For Delivery Address

X



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 31, 2003

ROCKY BEACH WATER DIST
PO BOX 126
SPIRIT LAKE, ID 83869-0126

PROOF DUE NOTICE

RE: PERMIT NO. 96-9011

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

December 31, 2003

ROCKY BEACH WATER DIST
PO BOX 126
SPIRIT LAKE, ID 83869-0126

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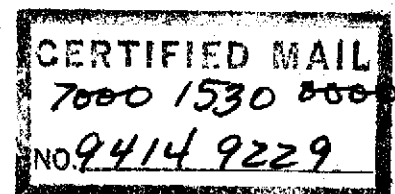
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Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 23, 1999

DIRK KEMPTHORNE
GOVERNOR

ROCKY BEACH WATER DISTRICT
PO BOX 126
SPIRIT LAKE ID 83869

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09011

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

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APR 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of March, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 96-09011

ROCKY BEACH WATER DISTRICT
PO BOX 126
SPIRIT LAKE ID 83869-0126


Kari Lynn Townsend
Secretary

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APR 15 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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Page 1

APR 15 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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APR 15 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by CindyNo.: 96-9011 Name: Rocky Beach WD Date: 3/3/99 Ad OK? ☒ ☒ Gvmt Lts: ☒

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

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year - 26A-P17
≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDAQ3) - 048-P23
In Basin 34? - 085
Irr. within WVD - P05 (new well location)WMD (✓ MAP) - North / East / West
> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

WMD

Supp. irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr. source)
Supp. irr. + uses - 100-101
> 0.24 cfs/5 acres - 01M (report when notified)
≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN/ABOVE MSF (✓ MAP) - *WB9

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # _____)

> 0.20 cfs - 01J-P08 (MD & LD)
≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)WMD (✓ MAP)
> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

Snake R (01) - *W22 -P04, NA
(02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
Salmon R (70's) - 029 (fish screens), NA
Weiser R (87) - 086, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
STOCKWATER - R37 (BLM/USFS); NA
MINING - 054(req)-081-P10
FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
HEATING/COOLING - R07 (injection well)
POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);
17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)
Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
>1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)

MITIGATION - 120

42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)

SWAN FALLS FLAG (✓ Code) -

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

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

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS: - ② W35/32 ① W32 ⑤ W60BENEFICIAL USE DUE: - 3/1/2004

COMMENTS:

**ROCKY BEACH WATER DISTRICT
P. O. BOX 126
SPIRIT LAKE, ID 83869**

RECEIVED

MAR 01 1999

Department of Water Resources

February 25, 1999

**Attention: Cindy Zimmerman
State of Idaho
Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098**

RE: Application for Permit No. 96-09011

Dear Ms. Zimmerman:

Enclosed is the map outlining our water district, the original members, the added members, the wells and some additional information. From all of the research I could find it appeared the original members were only 38, not 40 and since 1978 we have had six new homes built.

I've tried to indicate the lots where there is only one house on two or more lots. The group of small lots just north of the original well numbering 20 have been for sale for the past 10 years. It is our understanding the property owner only wants to sell all together. The three lots highlighted in orange have been impacted by the original well and cannot be built on.

The following is the list of our Board of Directors:

**Florence Kroetch (Patsy), Chairperson
N. 30400 Spirit Lake Loop Rd.
Spirit Lake, ID 84869**

**Mike LoPresti, Board Member
P. O. Box 148
Spirit Lake, ID 83869**

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MAR 15 1999

Rocky Beach Water District
February 25, 1999
Page 2

Kim Rogstad, Board Member
N. 30285 Spirit Lake Loop Rd.
Spirit Lake, ID 83869

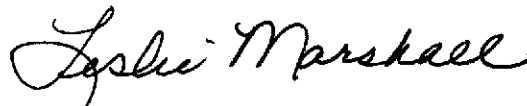
Bill Bierbaum, Board Member
P. O. Box 849
Spirit Lake, ID 83869

Bill Diehl, Board Member
N. 30055 Spirit Lake Loop Rd.
Spirit Lake, ID 83869

Leslie Marshall-Sec/Treas.
N. 29975 Spirit Lake Loop Rd.
Spirit Lake, ID 83869
Work number (208) 265-~~1947~~ 1497
Home number (208) 623-6523
E-mail: roads@netw.com work
E-mail: marsh@dmf.net home

I hope this is the information you need, if there is any other information I need to provide to you please do not hesitate to contact me.

Sincerely,



Leslie Marshall
Secretary/Treasurer

enc.:

MICROFILMED

APR 15 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 2, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Rocky Beach Water District
PO Box 126
Spirit Lake ID 83869-0126

RE: Application for Permit No. 96-09011

Dear Sirs:

The above referenced application has been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

This application also proposes domestic use for 60 homes and irrigation for 51 acres. The application identifies overlapping license 96-07729 is for the existing well and 40 homes. The field examination on 96-07729 included a subdivision plat that describes 74 lots.

On January 19, 1999, I called the phone number on the application and was referred to your engineer, John Smetana.

As I explained to Mr. Smetana during our telephone conversation on January 19, 1999, a subdivision plat identifying the location of the 60 homes listed on the application was not included with the application. Mr. Smetana explained that the application was intended for an additional well and the remaining lots not covered under right 96-07729. Mr. Smetana assured me he would contact the appropriate people at Rocky Bench Water District and get back with me. As of this date, I have not heard from Mr. Smetana or anyone from Rocky Bench Water District.

I need the subdivision plat to clarify where water will be diverted. Please provide a subdivision plat identifying the location of the points of diversion, the location of lots covered under 96-07729, the location of lots to be covered under this application, as well as the size of each lot.

Also, due to the requirement of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers of Rocky Beach Water District.

I will hold further processing on your application for 30 days pending your response. Please submit this information as quickly as possible within the 30-day period to prevent any further undue delay in processing your application.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Sincerely,

Cindy Zimmerman
Water Resource Agent

MICROFILMED

APR 15 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

WRI
WRA
BCA

JAN 13 1999

APPLICATION # 96-09011

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: ROCKY BEACH WATER DIST.

BY: AB

DATE: 10/16/98

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, receipt, acknowledgement)

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No)

PRIORITY DATE: 10/16/98

X (Include Moratorium Remark)

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

CA/Thurs

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

WD Permit No.'s:	Type:	Fees
<u>96 98 N 0197-000</u>	Dom. <u>X</u> Non-Dom.	Paid \$ <u>200</u>
_____	Dom. _____ Non-Dom.	Paid \$ _____
_____	Dom. _____ Non-Dom.	Paid \$ _____

Receipt No.

0012416

Upgrade Needed?

Y () N (X)
 Y () N ()
 Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

Notice of pending void order issued. Final order response date: _____/_____/_____

Further information required from applicant

12/17 Affidavit of publication received

12/14 Application published correctly. If not, record action taken: _____

11/24 Publication dates and paper recorded on application | Sr. Agent initial AS

Protests received, Final protest date: 12/21/98

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: AB

Date: 12/28/98

RECEIVED

DEC 14 1998

AFFIDAVIT OF PUBLICATION

DWR/North

STATE OF IDAHO,
County of Kootenai,

} ss.

Stacie Walker being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal notice

of which the annexed is a printed copy, was published in the regular Monday issue of said newspaper for 2 consecutive weeks commencing on the 30 day of November, 1998 and ending on the 7 day of December, 1998, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this

7

day of

December1998Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/03

DEC 14 1998

DWR/North

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-09001

TARNASKY, WILLIAM C.
12145 STRAHORN ROAD
HAYDEN, ID 83835

Source: UNNAMED STREAM Tributary: SINKS
Diversion Pt: SENE Sec 12 T 51N R 04W in KOOTENAI County.
Use: WILDLIFE STORAGE (10.00 AF)
RECREATION STORAGE (10.00 AF)
Total Diversion: (10.00 AF)

Date Filed: 11/13/1998
In: KOOTENAI County
T51N R04W S12

SENE

95-09002

PRAIRIE GOLF LLC
P.O. BOX 3607
HAYDEN LAKE, ID 83835

Source: GROUNDWATER
Diversion Pt: NWSE Sec 27 T 51N R 05W in KOOTENAI County.
Use: IRRIGATION (1.560 CFS)
Total Diversion: (1.560 CFS)

Date Filed: 11/17/1998
In: KOOTENAI County
T51N R05W S27

NENE
NWSENWNE
SWSESWNE
SESE

NESE

130.2 ACRES TOTAL

95-09003

ATWOOD, DAVID A.
3180 E. DODD
HAYDEN LAKE, ID 83835

Source: GROUNDWATER
Diversion Pt: NENE Sec 6 T 51N R 03W in KOOTENAI County.
Use: IRRIGATION (0.040 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 11/20/1998
In: KOOTENAI County
T51N R03W S06

NENE

2.0 ACRES TOTAL

96-09011

ROCKY BEACH WATER DISTRICT
P.O. BOX 126
SPIRIT LAKE, ID 83869

Source: GROUNDWATER
Diversion Pt: LOT 3 (SWSW) Sec 8 T 53N R 04W in KOOTENAI County.
Use: IRRIGATION (0.230 CFS)
DOMESTIC (0.330 CFS)
Total Diversion: (0.330 CFS)

Date Filed: 10/16/1998
In: KOOTENAI County
T53N R04W S07

SESE
SWSW

NENW

NWNW

SWNW

SENW

51.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before DECEMBER 21, 1998.

KARL J. DREHER, Director

Legal 293

November 30, December 7, 1998

96-09011

ROCKY BEACH WATER DISTRICT
PO BOX 126
SPIRIT LAKE, ID 83869

Source: GROUNDWATER

Diversion Pt: LOT 3 (SWSW) Sec 8 T 53N R 04W in KOOTENAI County.

Use: IRRIGATION	(	0.230 CFS)
DOMESTIC	(	0.330 CFS)
Total Diversion:	(	0.330 CFS)

Date Filed: 10/16/1998

In: KOOTENAI County
T53N R04W S07

	SESE
S08	SWSW
S17	NENW

NWNW

SWNW

SENW

51.0 ACRES TOTAL

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APR 15 1999

November 25, 1998

Mrs. Marshall
Rocky Beach Water District
PO Box 126
Spirit Lake ID 83869

Re: Water Appropriation Application No. 96-09011

Dear Mrs. Marshall:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

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APR 15 1999

September 24, 1998

Rocky Beach Water District
PO Box 126
Spirit Lake ID 83869

RE: Application for Permit

Dear Mrs. Marshall:

We are returning your Application for Permit, along with Receipt Number N012368, for the amount of \$100.00.

The Forest Service map that was submitted with your filing is too small of scale to verify the location of where your well is to be located. Please mark the enclosed topographical map where the well will be and also, outline the service area on the map.

In addition to the map, if there will be irrigation of lawns and gardens for the homes, irrigation should be listed on Item 4., with a diversion rate. And the acres should be listed on Item 9., in each corresponding 40 acre tract.

Please return your filing back to this office for processing, or if I can be of further assistance, feel free to contact me.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

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APR 15 1999

FRAME & SMETANA, P.A.

CONSULTING ENGINEERS

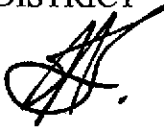
603 North 4th Street

Phone 664-2121 - Fax 765-5502

COEUR D'ALENE, IDAHO 83814

RECEIVED
JUN 29 1998
NORTHERN REGION
IDWR

TO: BOARD OF DIRECTORS
ROCKY BEACH WATER DISTRICT

FROM: JOHN A. SMETANA, P.E. 

SUBJECT: SECOND WELL PROJECT

DATE: JUNE 26, 1998

The following project scope of work and proposed schedule is submitted for your review and comment:

Scope of Work

1. Prepare and submit water right application for new well with Idaho Department of Water Resources.
2. Initiate well site approval with DEQ, including on-site meeting.
3. Prepare and submit plans and specifications to Water District Board and agencies for new well construction.
4. Prepare construction documents and solicit competitive bids for well drilling and pump installation/connection.
5. Upon agency approval and District review of submitted bids, initiate construction project (contractor will be responsible for securing drilling permit).
6. Complete construction and project certification, including submittal of as-constructed drawings.

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APR 15 1999

Proposed Schedule

ITEM	COMPLETION DATE
▪ Approval of Scope of Work	July 6, 1998
▪ Water Right Application submittal	July 10, 1998
▪ Well site approval	July 10, 1998
▪ Submittal of plans and specifications	July 22, 1998
▪ Bid opening	August 19, 1998
▪ Agency approval and contract award	August 21, 1998
▪ Complete well construction	September 18, 1998
▪ Complete pump installation/connection	October 16, 1998
▪ Final approval and certification	October 30, 1998

By copy of this memo to IDWR and DEQ, I am also requesting their review and comment by July 6, 1998. Based on my conversation with Brian Patton, IDWR, it is our understanding that the action of the Rocky Beach Water District to retain this firm and this submittal demonstrates reasonable progress toward the completion of the project as referenced in Article 7b of the loan documents.

Please contact me with your questions and comments. Frame & Smetana, P.A. looks forward to working with the District and agencies on this project.

JAS:gg
xc: Brian W. Patton, IDWR - Boise
Bob Haynes, IDWR - CDA
Steve Tanner, DEQ - CDA

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APR 15 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

N012368

Date:

Time:

8/31/1998

14:17:51

Received
From:

ROCKY BEACH WATER DIST
Type of Payment

Program A cct

Amount

WR APP FEE

65103

229 21 1155

100.00

Total

\$

100.00

CHECK

1303

Region: NORTHERN

Signature: _____

db

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APR 15 1999