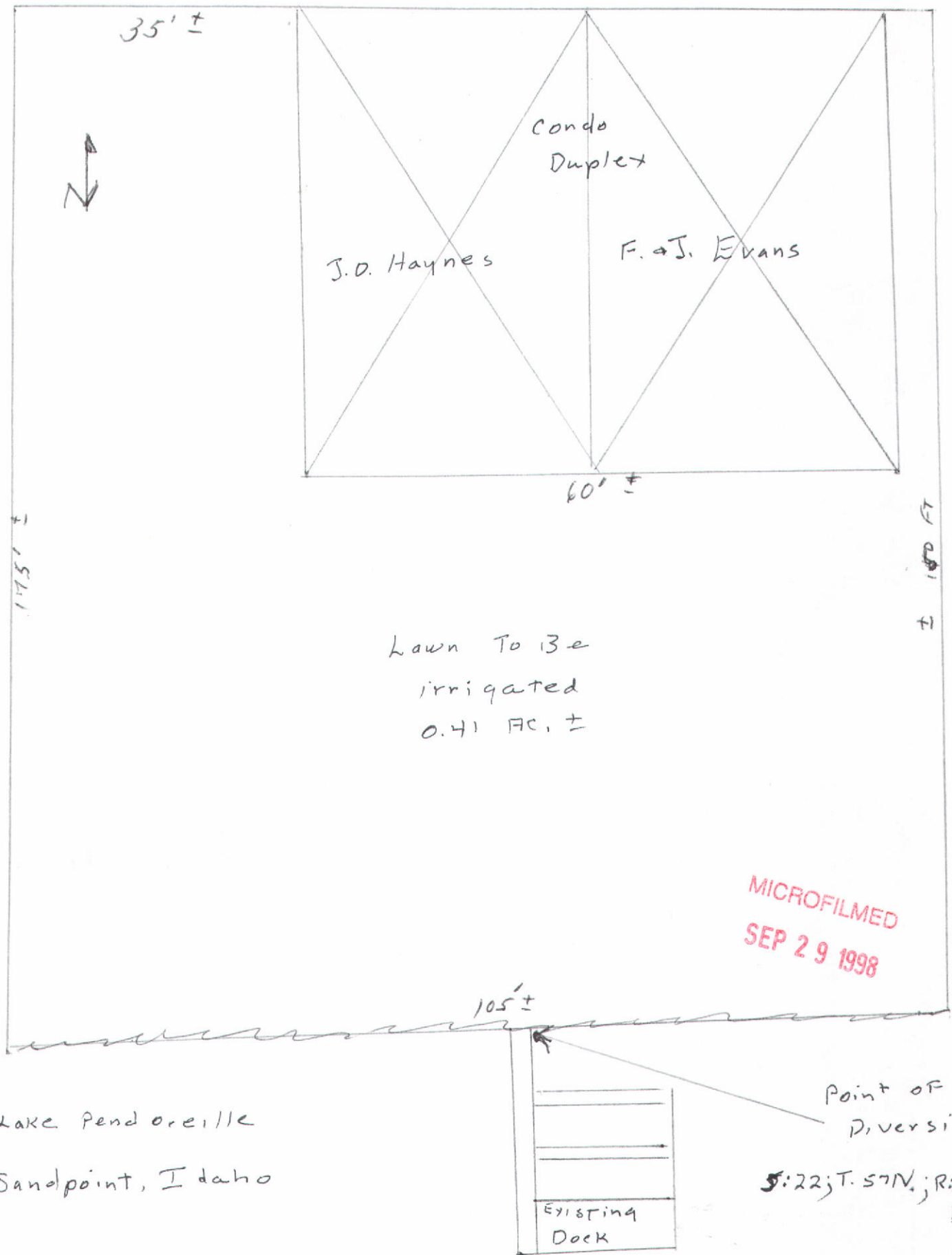
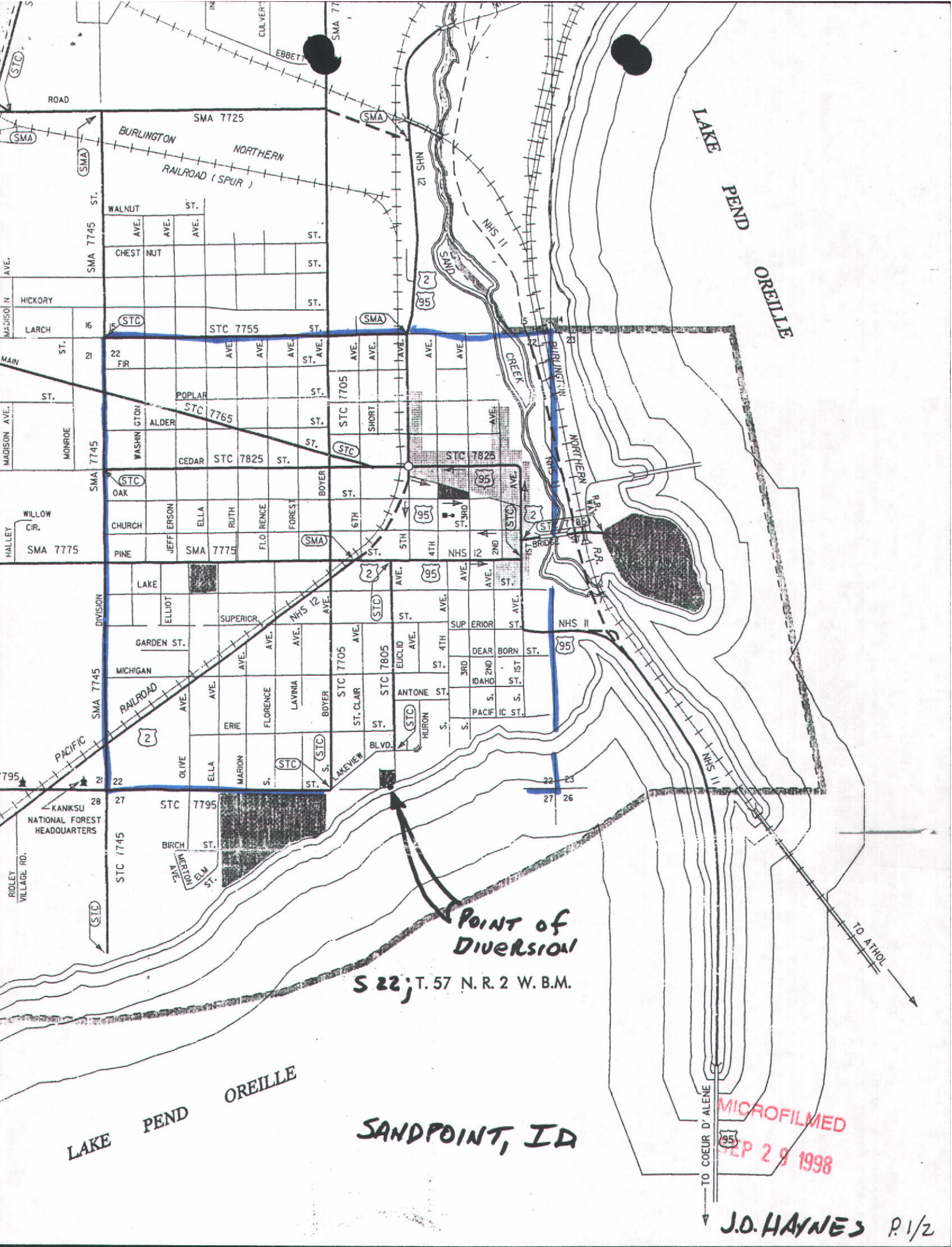


LAKEVIEW LANE CONDOMINIUM Driveway

Frank Evans Mgr.
263-2431





Point of Diversion

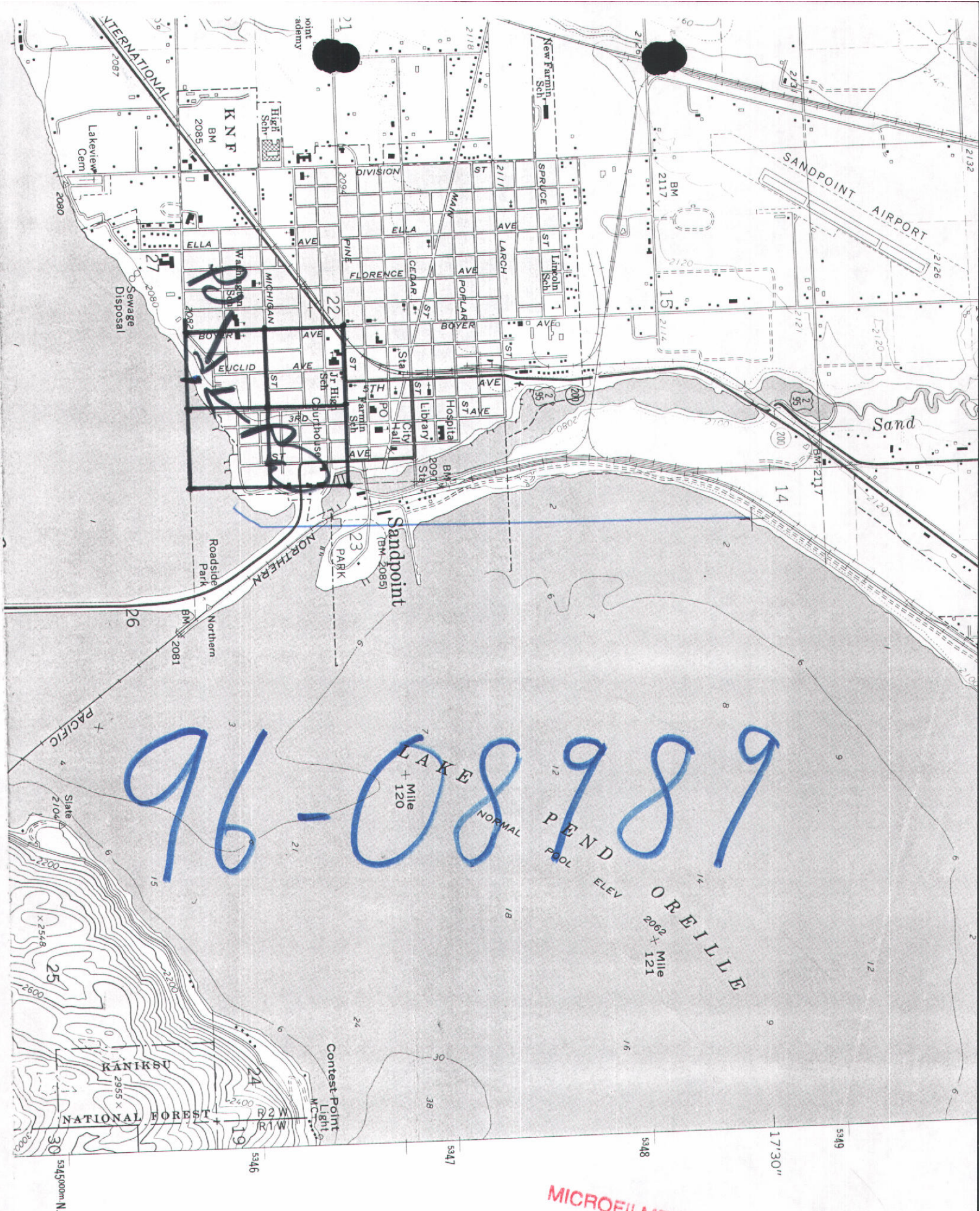
S 22; T. 57 N. R. 2 W. B.M.

SANDPOINT, ID

MICROFILMED
SEP 29 1998

J.D. HAYNES P. 1/2

[illegible]



96-08989

MICROFILMED
OCT 19 2001



PW



PV

96-08989

MICROFILMED
OCT 19 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08989

Priority: April 27, 1998

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that LAKEVIEW LANE CONDOMINIUM ASSOCIATION
FRANK B EVANS MANAGER
500 LAKEVIEW LN
SANDPOINT ID 83864 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 27, 1998; and has
submitted Proof of Beneficial Use on November 26, 1999. An examination indicates that the works have
a diversion capacity of 0.04 cfs of water from:

SOURCE

PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

PEND OREILLE LAKE SW¼SE¼ Sec. 22, Twp 57N, Rge 02W, B.M., BONNER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N 02W 22															.4		.4

Total Acres: 0.4

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.4 cfs nor more than 1.2 afa at the field headgate for irrigation of the land described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 29TH day of MAY, 2001.

RECORDED

APR 27 2001

Acting for

KARL J. DREHER
Director

7/94

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00Receipt No. 0045987Receipt By: KLDate Received: 7-14-99

RECEIVED

NOV 26 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

RECEIVED

JUL 14 1999

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 96-08989 Telephone No. 208-263-2431
2. Name(s) of Permit Holder(s): FRANK EVANS (Mgr Lakeview LN. Condo. Association)
3. Mailing Address: 500 LAKEVIEW LN. Sandpoint Id 83864
4. Source of Water: LAKE PENDOREILLE If **GROUNDWATER** (well), Date Drilled: mo. NA / yr. NA
 - a. Well Driller: NA Drilling Permit Number: NA - NA - NA
 - b. **OPTIONAL:**
Pump Horsepower: 1hp Pressure (psi): 55-60 Dynamic pumping level (ft): NA
5. Use(s) (as authorized by the water right permit): LAWN IRRIGATION (sprinkler system)
Domestic (No. of households): 2 Stockwater (No. and type of stock): NA
Irrigation (No. of acres): .4 total Other: —
6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR 1.2 acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?	Yes <u> </u>	or No <u> X </u>
Has the measuring device been installed?	Yes <u> </u>	or No <u> X </u>
Flow Measurement Port: Is a flow measurement port required?	Yes <u> </u>	or No <u> X </u>
Has the measurement port been installed?	Yes <u> </u>	or No <u> X </u>
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Jim Welch (installer of system) Telephone Number: 1-208-255-1382
Address: PO Box 54 Ponderay ID 83852

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature]
(include your title, if on behalf of company or organization)

MICROFILMED

Date: 7-22-99

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-08989

Proposed Priority: April 27, 1998

Maximum Diversion Rate:

0.04 CFS

This is to certify, that LAKEVIEW LANE CONDOMINIUM ASSOCIATION
FRANK B EVANS, MANAGER
500 LAKEVIEW LN
SANDPOINT ID 83864

has applied for a permit to appropriate water from:

PEND OREILLE LAKE

tributary of PEND OREILLE RIVER

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	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 22, Township 57N, Range 02W
BONNER 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>
57N	02W	22	SWSE	0.4		0.4

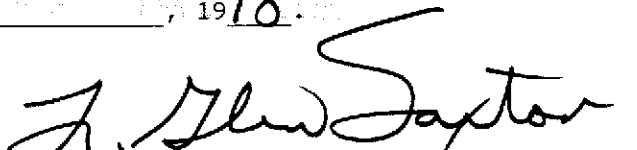
Total number of acres irrigated: 0.4

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1999.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. This right when combined with all other rights shall provide no more than 0.04 cfs nor more than 1.2 afa at the field headgate for irrigation of the land described above.

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

15th day of June, 1998.


Karl J. Dreher, Director
for

MICROFILMED

SEP 2 8 1998

Ident. No. 96-08989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUN 11 1998

To appropriate the public waters of the State of Idaho

Department of Water Resources

LAKEVIEW LAKE CONDOMINIUM ASSN.

1. Name of Applicant FRANK B. EVANS, MGR. Phone 208-263-2431
Mailing address 500 LAKEVIEW LN SANDPOINT, ID 83864
2. Source of water supply LAKE PENDOREILLE which is a tributary of CRANDORRE R.
3. Location of point of diversion is Township 57N Range 2W Sec. 22 in the SW 1/4, SW 1/4, SE 1/4, Govt. Lot -, B.M., BONNER County;
additional points of diversion if any: -

4. Water will be used for the following purposes:

- ④ Amount 0.04 for IRRIGATION purposes from 3/15 MAY to 11/15 OCT (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.04 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 1/4" Boulds submersible
& 2" line
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. IRRIGATION OF DOMESTIC LAWNS

MICROFILMED

SEP 29 1998

④ per USGS 6/15/98 cz.
* Standard season disks cz.
④ per Frank Evans, high rate required to irrigate all of lawn in 2 hrs. 4/15/98 cz.

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
22	22	22
NE	NW	SE
NW	SW	SW
SE	SE	SE
NE		
NW		
SE		
SW		
S E		
TOTALS		

Q. 9

11. a. Who owns the property at the point of diversion? JOHN FRANK EVANS & MRS. D. L. HAYNES
b. Who owns the land to be irrigated or place of use? SAME

12. Remarks: WATER USED 16 SPRAY REBINDER/AC LAMIN

• ធិបតី ឧបត

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

Signature of Applicant (and title, if applicable)

105a

Date 10/1/97 Time 11:15

86/12/14

Received by _____

Publication prepared by

Date _____

8/15/5

Date _____

8615107

preliminary check by

Date _____

—

1

LAKEVIEW LANE CONDOMINIUM
Driveway

Frank Evans Mgr.
263-2431



35' ±

Condo
Duplex

J.D. Haynes

F. & J. Evans

60' ±

Lawn To Be
irrigated
0.41 AC. ±

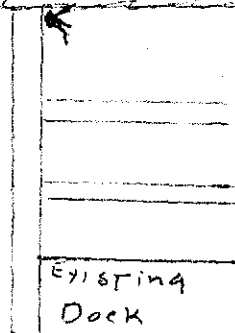
± 100 FT

S. Lockio Ave.

MICROFILMED
SEP 28 1974

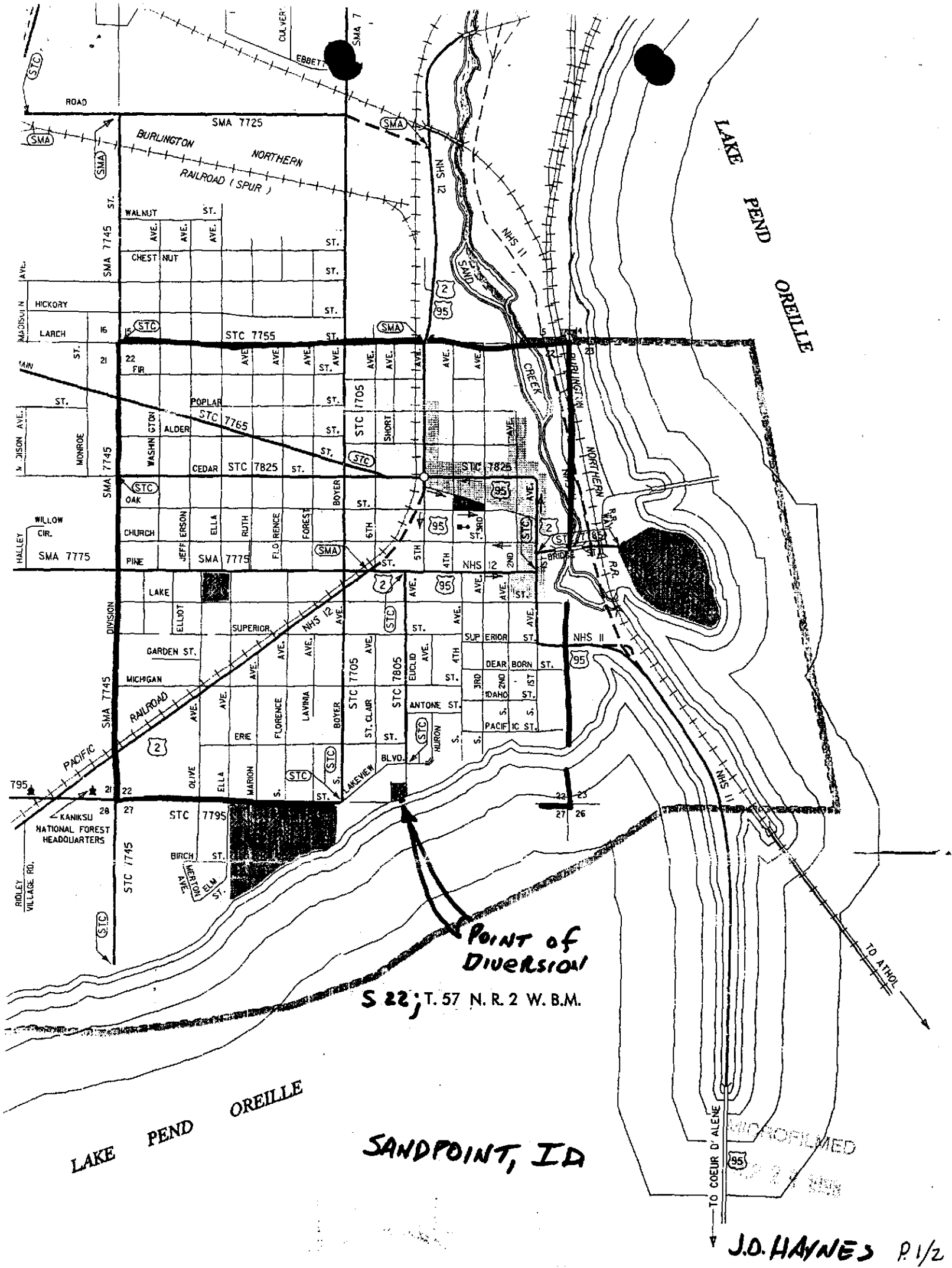
105' ±

Lake Pend Oreille
Sandpoint, Idaho



Point of
Diversion

S: 22; T: 57N; R: 2W.
BM.





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

May 29, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAKEVIEW LANE CONDOMINIUM ASSOCIATION
FRANK B EVANS MANAGER
500 LAKEVIEW LN
SANDPOINT ID 83864

RE: License No. 96-8989 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7941.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt
Enclosure(s)

MICROFILMED

6/27/01

CERTIFICATE OF MAILING

I hereby certify that on May 29, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 96-8989

**LAKEVIEW LANE CONDOMINIUM ASSOCIATION
FRANK B EVANS MANAGER
500 LAKEVIEW LN
SANDPOINT ID 83864**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 18 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

LICENSE REVIEW CHECKLIST

Permit No. 96-8989

Date: 5-23-01 Reviewer: Kay Walker

topo C56

Change/OK

Name/Address OK

Source OK

Point of Diversion: OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s): none

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs

Fee Limit 0.20 cfs

Measured _____ cfs

Theoretical 0.04 cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 0.04 cfs 1.2 af

Stockwater _____ cfs _____ af

Domestic _____ cfs _____ af

_____ cfs _____ af

_____ cfs _____ af

Total 0.04 cfs 1.2 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.04 cfs x 1.9835 x 214 days = 17.0 af (vs) 0.4 acres x 3.0 (FHR) = 1.2 af

Remarks:

~~WB7~~ W31 ~~R58~~ ~~R58~~

Additional Conditions

_____ Watermaster Control

_____ GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048/049)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes
no

If yes, explain why below.

SRBA Claim? N/A

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

[illegible]

RECEIVED

OCT 18 2000

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 18 2000

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 96-089891. Owner: Lake View Lane Condo Assoc. (Frank Evans) Phone No. (208) 263-2431Current Address: 500 Lake View Lane Sandpoint Id. 838642. Accompanied by: Mrs. Evans EXAM DATE: 7-20-00Address: Same as above Phone No. _____Relationship to Permit Holder: Wife3. Source: Pond Oreille Lake tributary to Pond Oreille River**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	22	57N	02W	Banner	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

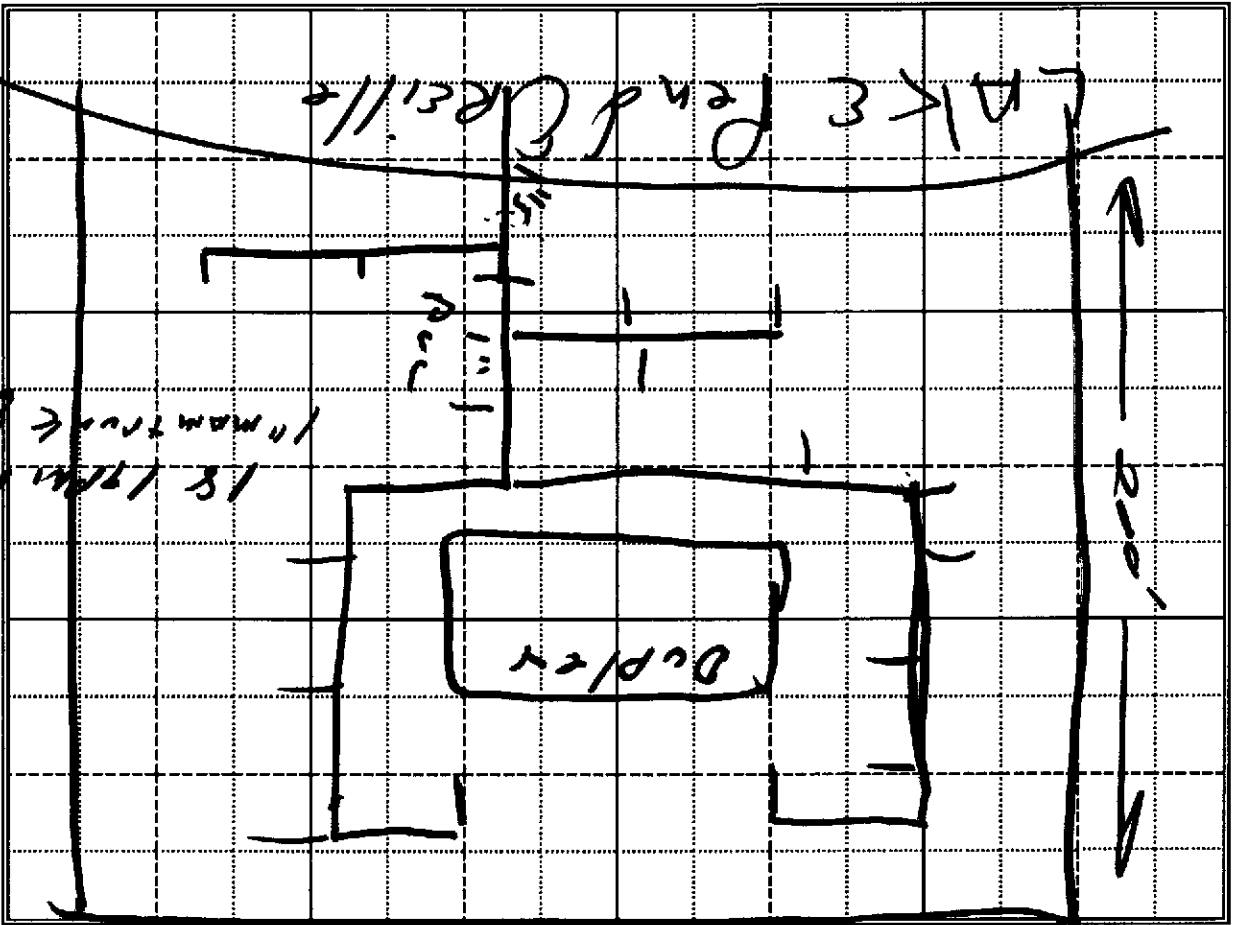
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	02W	22															.4		.4

MICROFILMED

OCT 18 2000

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipes, etc. as applicable.



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	1	2801084915	S.G.	1 1/2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Microfilm
100-1-100

F. FLOW CALCULATIONS

Measured Method:

Theoretical

$$8.8(1.67) = 6.16 = .04065$$

$$\frac{10 + (2.31 \times 60)}{148.6}$$

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .4 \times 3 = 1.2$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .04 \times .045 \times 1.9835 = 19.4$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 1.2$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Longwater

2. Recommended Amendments

Change P.D. as reflected above
Change P.U. as reflected above
Add P.D. as reflected above
Add P.U. as reflected above
None
Other

I. AUTHENTICATION

Field Examiner's Name *Wayne B. Baker* Date *10-11-00*
Reviewer _____ Date _____

SEAL

Period of Use	Rate of Diversion	Annual Volume
From 03-15 To 11-15	.04	1.2
Totals:	.04	1.2



96-08989

MICROFILMED
607 10 789



PW



PV

96-65989



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

January 13, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LAKEVIEW LANE CONDOMINIUM ASSN
FRANK EVANS
500 LAKEVIEW LN
SANDPOINT ID 83864

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08989

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur D'Alene at (208) 769-1450.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED

FEB 04 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 96-08989 Reviewed by [Signature] Date 1-13-00
11-16-99

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
NO Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

✓ Surface water source
Ground water source
Drilling permit required?
Copy in the file? Drilling Permit No. _____
Amount paid for permit _____ Correct?
Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 - Amount Submitted
yes Correct?
NO Required?
Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received 7-14-99
Date proof due 7-1-99 -
No. of days late 13 = 13 75-11-98
Priority Date 4-27-98 + 118
New Priority Date 5-11-98 131

DEFICIENCIES OR ACTION ITEMS

Return for signature needed
none - ok proof

DATA ENTRY

New Address [Signature] Proof Made 7-14-99



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 18, 1999

Lakeview Lane Condo Assoc
Attn Frank Evans
500 Lakeview Ln
Sandpoint ID 83864

RE: Permit No. 96-08989

Dear Permit Holder:

I have returned the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. Before the department can accept the form, it must be signed and dated on line ten by the permit holder or an authorized representative.

Please sign the proof form, and return it to my attention within **(30) days** of receipt of this mailing.

If you have any questions regarding this matter, please contact me directly at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

MICROFILMED

FEB 04 2000

April 30, 1999

LAKEVIEW LANE CONDOMINIUM ASSOCIATION
FRANK B EVANS, MANAGER
500 LAKEVIEW LN
SANDPOINT ID 83864

PROOF DUE NOTICE

RE: PERMIT NO. 96-08989

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 July 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete 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.

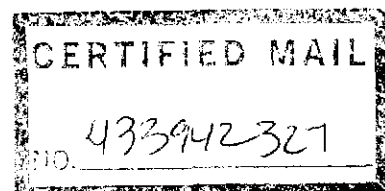
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

FEB 04 2000





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

June 16, 1998

PHILIP E. BATT
GOVERNOR

LAKEVIEW LANE CONDOMINIUM ASSOCIATION
FRANK B EVANS, MANAGER
500 LAKEVIEW LN
SANDPOINT ID 83864

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08989

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.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED
SEP 29 1998

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of June, 1998, 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. 96-08989

LAKEVIEW LANE CONDOMINIUM ASSOCIATION
FRANK B EVANS, MANAGER
500 LAKEVIEW LN
SANDPOINT ID 83864


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 29 1998

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.

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.

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*

No.: 96-8989 Name: Review for Condo Assn. Date: 6/15/98 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)

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 Supplemental use

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

> 0.24 cfs/5 acres

- 01M (report when notified)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

In Basin 34?

- 085

Irr. within WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 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

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- ~~R60~~ 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)

Mining

- 054(req) -081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

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

Stockwater

- R37 (BLM/USFS); NA

Storage (✓3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

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

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 stream channel alteration

Mitigation

- 120

SWAN FALLS FLAG (See Code Chart)

Trust

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

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- 0 WB1 / 0.04 on 0.4 ac / 1.2 AF

BENEFICIAL USE DUE:

- 7/1/1999

COMMENTS:

- Assn is Evans & Hughesfix trip

MEMORANDUM

DATE: June 15, 1998
TO: File No. 96-08989
FROM: Cindy Zimmerman 
SUBJECT: Irrigation Rate of Flow

This application proposes a higher than standard diversion rate for irrigation use; 0.04 cfs for 0.4 acres. I called Frank Evans, manager for the association, who stated that the higher rate of flow is necessary to sprinkler the entire lawn in 2 hours.

MICROFILMED

SEP 25 1998

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED *WRI*
WRA
PC
JUN 11 1998

APPLICATION # 96-8989

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT:

Leland Anderson Assoc
EVANS

BY:

AB

DATE:

4/27/98

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)

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

PROCESSING

(Yes) (No)

PRIORITY DATE: 4/27/98

☒ (Include Moratorium Remark)

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

ADVERTISE IN: BONNER 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	Receipt No.	Upgrade Needed?
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom. _____	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

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

Publication dates and paper recorded on application | Sr. Agent initial *AB*

Protests received, Final protest date: 6/8/98

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by:

AB RMA

Date: 6/8/98

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sherilyn Plunk being first duly sworn on oath
deposes and says that he/she is Bookkeeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

App for water
rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 21 day of May, 1998
and ending on the 28 day of May, 1998
and that said notice was published in said newspaper.

On this 28 day of May in the year
of 1998, before me, a Notary Public, personally
appeared Sherilyn Plunk,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Carolyn L. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/6

RECEIVED

JUN 04 1998

NORTHERN REGION
DWR

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08985

READ, ROBERT
READ, ALEXIS
1700 GOLD CREEK ROAD
SANDPOINT, ID 83864
Source: LITTLE GOLD CREEK
Tributary: GOLD CREEK
Diversion Pt: NENW Sec 12 T 58N
R 01W in BONNER County.
NWNW Sec 12 T 58N R 01W in
BONNER County.

Use: IRRIGATION

(0.120 CFS)

IRRIGATION
STORAGE (8.53 AF)
IRRIGATION FROM
STORAGE (8.53 AF)
WILDLIFE STORAGE (8.53 AF)
RECREATION
STORAGE (8.53 AF)

DIVERSION TO
STORAGE (0.100 CFS)
Total Diversion:

(0.120 CFS)

Date Filed: 3/27/1998
In: BONNER County
T58N R01W S12 NENW NWNW

96-08986

READ, ROBERT
READ, ALEXIS
1700 GOLD CREEK ROAD
SANDPOINT, ID 83864
Source: LITTLE GOLD CREEK
Tributary: GOLD CREEK
Diversion Pt: SWNW Sec 12 T 58N
R 01W in BONNER County.

Use: IRRIGATION

STORAGE (3.20 AF)
IRRIGATION FROM
STORAGE (3.20 AF)
WILDLIFE
STORAGE (3.20 AF)
RECREATION
STORAGE (3.20 AF)
DIVERSION TO

STORAGE (0.100 CFS) ✓
Total

Diversion: (0.100 CFS) ✓

Date Filed: 3/27/1998

In: BONNER County

T58N R01W S12 SWNW

96-08987

HAMMEL, WILLIAM G

HAMMEL, RABIA M

PO BOX 555

SANDPOINT, ID 83864

Source: UNNAMED STREAM

Tributary: JOHNSON CREEK

Diversion Pt: NENE Sec 32 T 57N

R 03W in BONNER County.

Use: IRRIGATION (0.200 CFS)

STOCKWATER (0.020 CFS)

FIRE PROTECTION (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 3/2/1998 - 2/27/98

In: BONNER County

T57N R03W S32 NENE

10.0 ACRES TOTAL

96-08988

COCOLALLA LAKE BIBLE CAMP

PO BOX 106

COCOLALLA, ID 83813

Source: GROUNDWATER

Diversion Pt: NESW Sec 5 T 55N R

02W in BONNER County.

Use: DOMESTIC (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 4/13/1998

In: BONNER County

T55N R02W S05 NESW NWSW

96-08989

LAKEVIEW LANE CONDOMINI-
UM ASSN

FRANK B EVANS, MANAGER

500 LAKEVIEW LANE

SANDPOINT, ID 83864

Source: PEND OREILLE LAKE

Tributary: COLUMBIA RIVER

Diversion Pt: SWSWSE Sec 22 T

57N R 02W in BONNER County.

Use: IRRIGATION (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 4/27/1998

In: BONNER County

T57N R02W S22 SWSE

0.4 ACRES TOTAL

96-08991

BROWN, BILL

108 S SECOND AVENUE

SANDPOINT, ID 83864

Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 8 (SWSE) Sec

31 T 57N R 02W in BONNER

County.

Lot 9 (SESE) Sec 31 T 57N R 02W

in BONNER County.

Use: IRRIGATION (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 4/29/1998

In: BONNER County

T57N R02W S31 Lot 8 (SWSE) Lot

9 (SESE)

5.0 ACRES TOTAL

For additional information con-
cerning 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 JUNE 8,

1998.

KARL J. DREHER, Director

SNP#9188 May 21, 28, 1998

MICROFILMED

SEP 29 1998

96-08989

LAKEVIEW LANE CONDOMINIUM ASSN
FRANK B EVANS, MANAGER
500 LAKEVIEW LANE
SANDPOINT, ID 83864

Source: PEND OREILLE LAKE

Tributary: COLUMBIA RIVER

Diversion Pt: SWSWSE Sec 22 T 57N R 02W in BONNER County.

Use: IRRIGATION (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 4/27/1998

In: BONNER County
T57N R02W S22 SWSE

0.4 ACRES TOTAL

MICROFILMED

SEP 29 1998

May 13, 1998

Frank B. Evans, Manager
Lakeview Lane Condominium Association
500 Lakeview Lane
Sandpoint ID 83864

Re: Water Appropriation Application No. 96-08989

Dear Mr. Evans::

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. Enclosed for your file is Receipt Number N012010.

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 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

MICROFILMED

SEP 29 1998