

PEND O REILLE

LAKE

SURVEYOR'S AFFIDAVIT

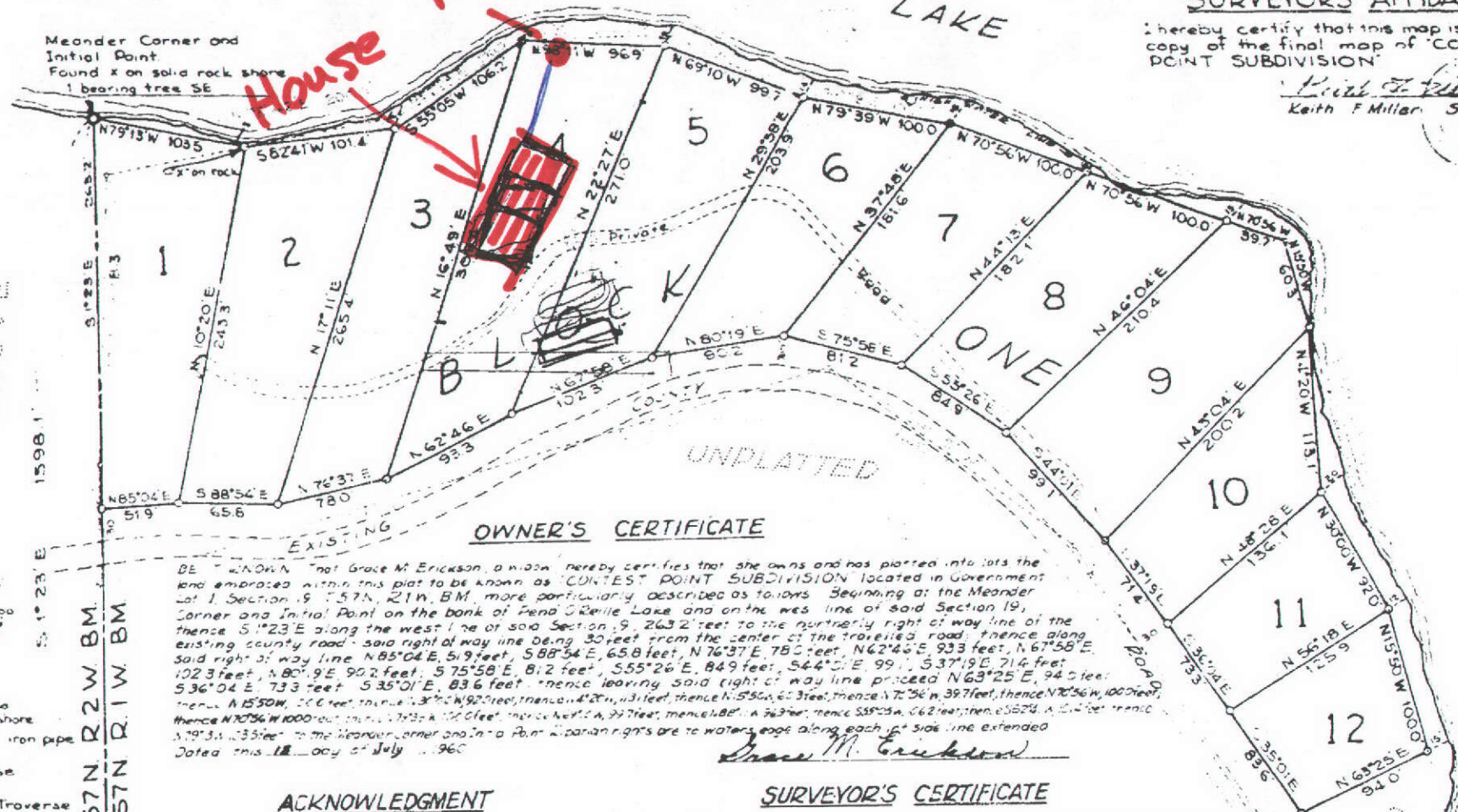
I hereby certify that this map is an exact copy of the final map of "CONTEST POINT SUBDIVISION"

Keith F. Miller S-675

Meander Corner and Initial Point
Found x on solid rock shore
1 bearing tree SE

House

PUMP



OWNER'S CERTIFICATE

BEFORE ME, Notary Public in and for the State of Washington, on this 18 day of July, 1960, personally appeared Grace M. Erickson, a woman, known to me to be the person whose name is subscribed to the foregoing Owner's Certificate and acknowledged to me that she executed the same of her own free will and accord.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Dated this 18 day of July, 1960.

Grace M. Erickson

ACKNOWLEDGMENT

STATE OF Washington } SS
COUNTY OF Spokane

On this 18 day of July, 1960, before me a notary public in and for said County, personally appeared Grace M. Erickson, a woman, known to me to be the person whose name is subscribed to the foregoing Owner's Certificate and acknowledged to me that she executed the same of her own free will and accord.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public in and for the State of Washington
Residing at Spokane

SURVEYOR'S CERTIFICATE

I hereby certify that the within plot of "CONTEST POINT SUBDIVISION" is correct, that it was prepared from an actual survey made by me in 1960, that the metes and bounds description of the same given in the Owner's Certificate is correct and that all lot corners and monuments as shown on said plot have been established on the ground.

Dated July 16, 1960

Keith F. Miller S-675

COUNTY SURVEYOR'S CERTIFICATE

I hereby certify that I have checked the within plot of "CONTEST POINT SUBDIVISION" that it complies with the requirements of the laws of the State of Idaho relating to the filing of plots and the same is hereby approved.

Dated July 25th, 1960

Chris. Lippert
County Surveyor

COUNTY COMMISSIONER'S ACCEPTANCE

The within plot of "CONTEST POINT SUBDIVISION" located Govt Lot 1, Section 19, T. 57N. R. 1W. B.M. is hereby approved and accepted this 15 day of July, 1960.

Board of County Commissioners, Bonner County, Idaho

By: [Signature]
Chairman
Attest: [Signature]
Clerk of the Board

FINAL PLAT
CONTEST POINT SUBDIVISION
A SUBDIVISION OF PART OF GOVT LOT 1
SECTION 19, T. 57N. R. 1W. B.M.

SCALE 1" = 50'

Graphic Scale in feet

LEGEND

Meander corner and initial point - Set iron pipe 1' or 1 1/2"

Basic Traverse

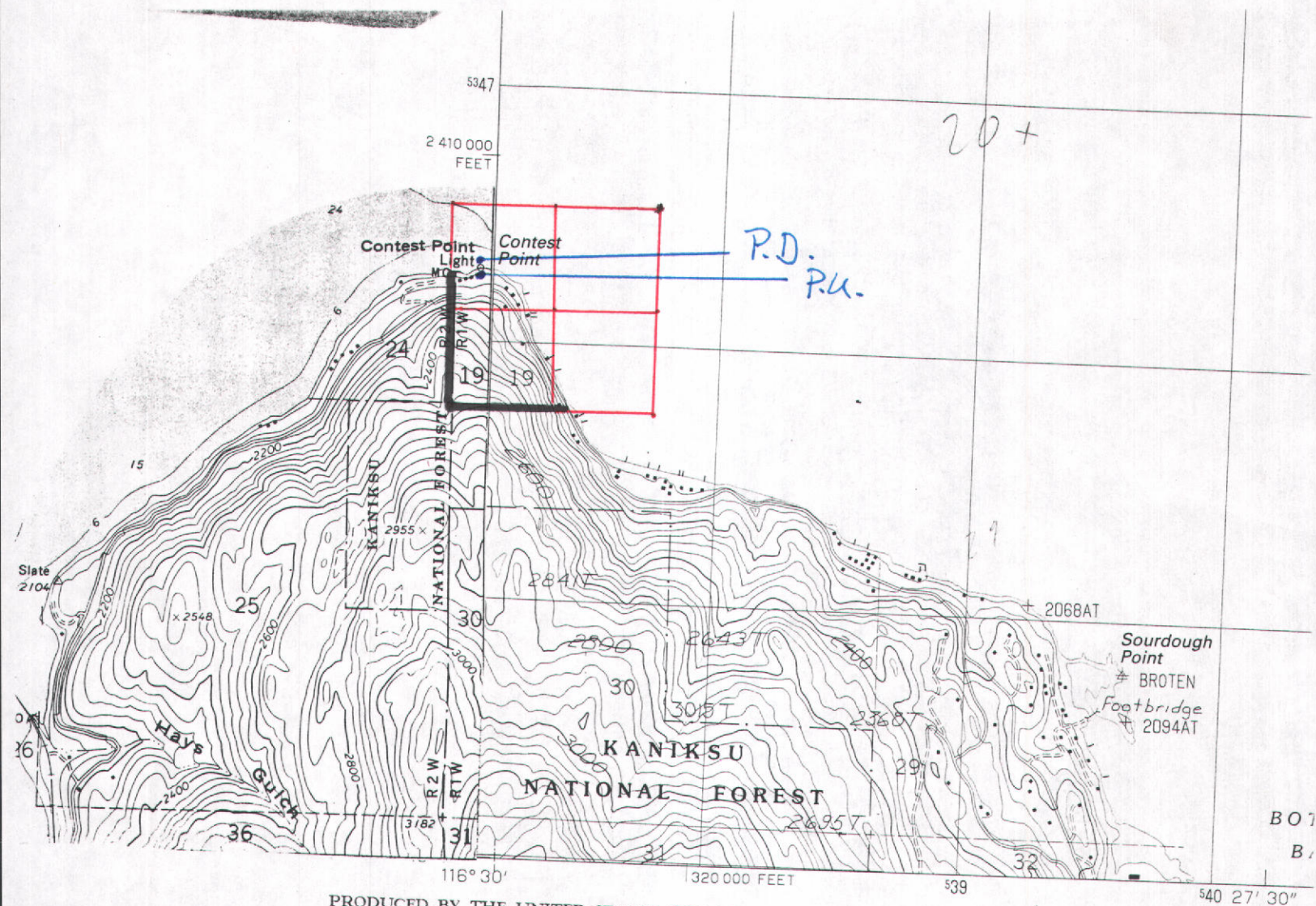
Subdivision Traverse
Set Iron Pipe 1' or 1 1/2"

Dam except where noted

Found old stake
Remains of
2 bearing
tree - present
witness tree

APR 28 1998

MICROFILMED

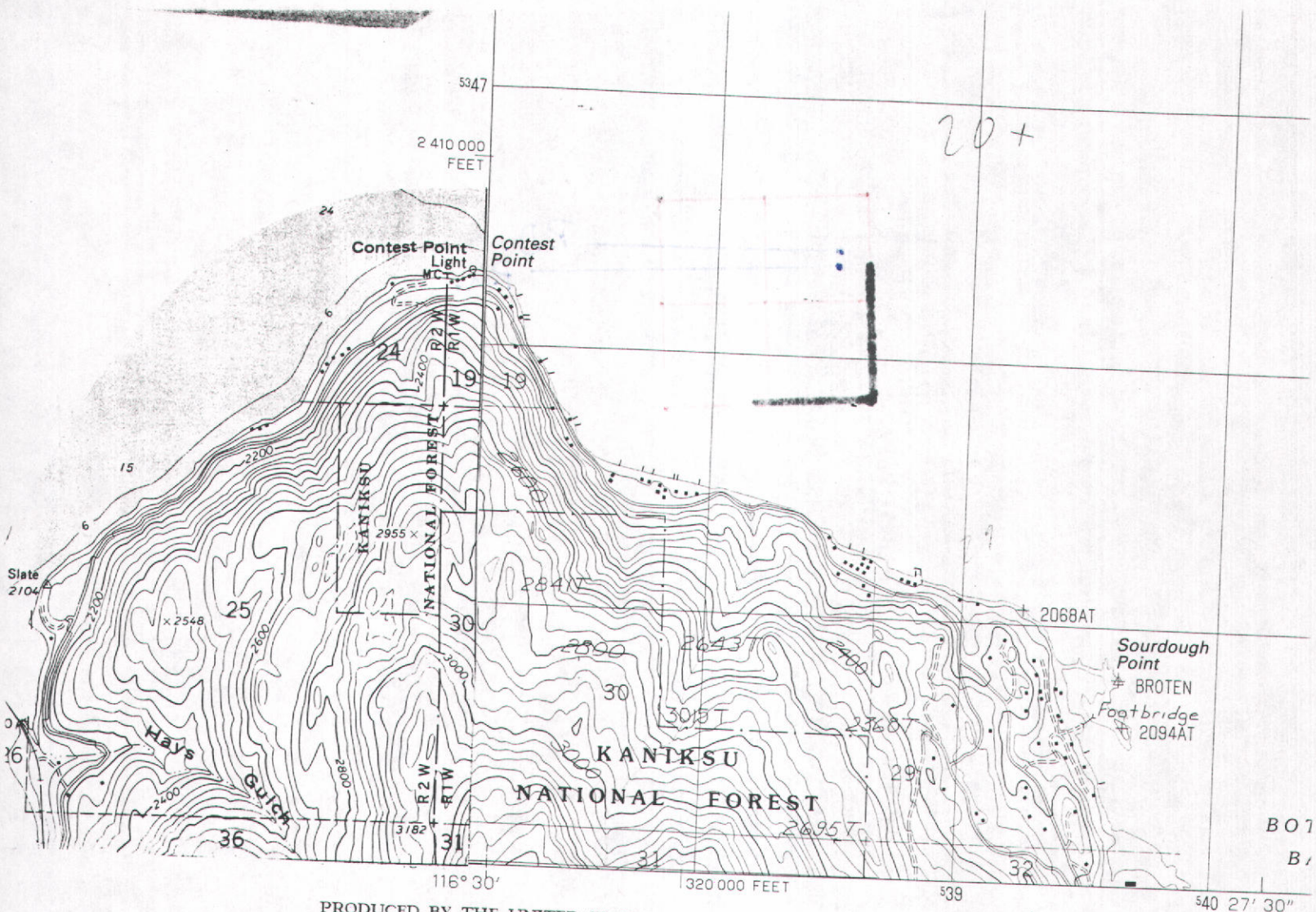


PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1986
 FIELD CHECKED 1987 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
 UTM GRID DECLINATION 0°25' EAST
 1989 MAGNETIC NORTH DECLINATION 19° EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,
 move the projection lines as shown by dashed corner ticks
 (13 meters north and 77 meters east)
 There may be private inholdings within the boundaries of any
 Federal and State Reservations shown on this map
 No distinction made between houses, barns, and other buildings

PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 photography. 1

MICROFILMED
 AUG 25 1998

96-08964
 57N-01W-19



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1986
 FIELD CHECKED 1987 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
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 To place on the predicted North American Datum of 1983,
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 (13 meters north and 77 meters east)
 There may be private inholdings within the boundaries of any
 Federal and State Reservations shown on this map
 No distinction made between houses, barns, and other buildings

PROVISIONAL MAP
 Produced from original
 manuscript drawings. Informa-
 tion shown as of date of
 photography. 1

MICROFILMED
 AUG 25 1998

W6P80-JP
 P1-W10-W52



Place of use



Pump / Pressure tank



Point
of
diversion

PHOTOGRAPHS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 96-08964

MICROFILMED
AUG 25 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08964

Priority: June 24, 1997

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JOHN KUBIAK

2619 S GARFIELD RD

SPOKANE WA 99203

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 24, 1997; and has submitted Proof of Beneficial Use on December 29, 1997. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

PEND OREILLE LAKE

tributary to PEND OREILLE RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NWSW), Sec. 19, Township 57N, Range 01W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

57N 01W 19 Lot 1(NWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right when flows in the Pend Oreille River are below established minimum streamflows.
6. Place of use is located within Lot 4, Blk. 1; Contest Point Subdivision.
7. Domestic use is for 1 home.

RECORDED

AUG 25 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 96-08964

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 8TH
day of MAY, 1998.

Acting for

KARL J. DREHER, Director

RECEIVED

MAY 23 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 03 1997

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. 96-08964 Telephone No. 509-624-6385 (Days)
2. Name(s) of Permit Holder(s): John Kubiak
3. Mailing Address: 2619 S. Garfield Rd. Spokane, WA 99203
4. Source of Water: Lake Pend Oreille If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
- a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____
- b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ 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 ____ or No <u>✓</u> |
| | Has the measuring device been installed? | Yes ____ or No <u>✓</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes ____ or No <u>✓</u> |
| | Has the measurement port been installed? | Yes ____ or No <u>✓</u> |
8. Fee Enclosed: \$ _____ (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: John Kubiak Telephone Number: 509-624-6385
Address: ~~208 E. 1st~~ 2619 S. Garfield Rd. Spokane, WA 99203
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] Date: 10/30/97
(include your title, if on behalf of company or organization)

APR 23 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08964

Proposed Priority: June 24, 1997

Maximum Diversion Rate:

0.04 CFS

This is to certify, that JOHN KUBIAK

2619 S GARFIELD RD

SPOKANE WA 99203

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:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SWSW), Sec. 19, Township 57N, Range 01W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

57N 01W 19 Lot 1(SWSW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1998.
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. Water shall not be diverted under this right when flows in the Pend Orielle River are below established minimum streamflows.
5. Place of use is located within Lot 4, Blk. 1; Contest Point Subdivision.
6. Domestic use is for 1 home.

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

23rd day of October, 1997.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED
APR 28 1998

Ident. No. 96-8964

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
OCT 20 1997

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Department of Water Resources

Name of Applicant John Kubiak Phone 509-624-6385

Mailing address 2619 S. Garfield Road, Spokane WA 99203

2. Source of water supply Lake Pend Oreille which is a tributary of PEND OREILLE RIVER

3. Location of point of diversion is Township 37 N Range 1 W Sec. 19 in the 1/4,
SW 1/4, SW 1/4, Govt. Lot 4, B.M., BANNER County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for Domestic water purposes from Y. to 12/31 (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 Pump from lake
for domestic water use.

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. 1 HOME

e. Other; describe fully. _____

MICROFILMED

APR 28 1998

- 40 ACRE TRACT PROVIDED BY BANNER CO. ASSESSOR'S OFFICE.

7/11/97
15

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	
57N	1W	19											D						

Total number of acres to be irrigated NA

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

11. a. Who owns the property at the point of diversion? John & Jennifer Kubiak

b. Who owns the land to be irrigated or place of use? John & Jennifer Kubiak

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: _____

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.


Signature of Applicant (and title, if applicable)

Received by db Date 6/24/97 Time 120P Preliminary check by AS
 Fee \$ 50.00 Received by db # N011363 Date 6/24/97
 Publication prepared by db Date 7/30/97 Published in Bonneville Daily Bee 8/14/97
 Publication approved db Date 10/2/97 9/18/97

APR 28 1998

hereby certify that this map is an exact copy of the final map of CONVERSE POINT SUBDIVISION.

Keith F Miller 5422

DE M^{me} DORVILLE

Meander Corner and
Initial Point.
Found x on same rock.

Handwritten: 2500H

DOOM HORIZON

20

100

1
2
3
4
5
6
7

lemoner cone - one
 11.2. 2001 - on rock shore
 over 5000 - 5000

Basic Traversal:

--- Subdivision Traverse
Net Iron Pipe 1' or 1 1/2"
Dom except where noted

24 19
found old stake
remains of
25 30
26 30
27 30
28 30
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99 30
100 30

100

COUNTY COMMISSIONER'S ACCEPTANCE

The entire plot of "CONTEST DONT SUBDIVISION" located at City Lot 1, Section 19, T57N, R1W, BM.

Board of County Commissioners, Boone County, Idaho

Attest: Virginia D. Kenworthy
Clerk of the Board

OWNER'S CERTIFICATE

[illegible]

ACKNOWLEDGMENT

STATE OF Washington } SS
COUNTY OF Spokane

On this 18 day of July, 1966, before me a notary public, and for said County, personally appearing Grace Lee Erickson, a woman, known to me to be the person whose name is subscribed to the foregoing Onward's Certificate, and acknowledged to me that she executed the same of her own free will and accord.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Lawrence K. Linn
Notary Public in and for the State of
Washington Residing at Seattle

STANCE

Fig. 7 Lot 1, Section 19, T57N, R1W, BM.

Wm. Jackson

Thomas D. Kenney
Clerk of the Board

SURVEYOR'S CERTIFICATE

- hereby certify that the within plat of "CONTEST POINT SUBDIVISION" is correct, that it was prepared from an actual survey made by me in 1960, that the metes and bounds description of the same given in the Owners Certificate is correct and that all lot corners and monuments as shown on said plat have been established on the ground.

Dated July 16, 1960

Keith F. Miller S-675

COUNTY SURVEYOR'S CERTIFICATE

I hereby certify that I have checked the within plot of "CONTEST POINT SUBDIVISION," that it complies with the requirements of the laws of the State of Idaho relating to the filing of plots and the same is hereby approved

Dated July 25th, 1960

FINAL PLAT County Surveyor

CONTEST POINT SUBDIVISION

A SUBDIVISION OF PART OF GOVT LOT 1

SECTION 19. T. 57N., R. 1 W., B.M.



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 11, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN KUBIAK
2619 S GARFIELD RD
SPOKANE WA 99203

RE: WATER RIGHT NO. 96-08964

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

RECEIVED
AUG 25 1998

ORAL ARGUMENT

If the Department grants a petition to review the 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 the 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

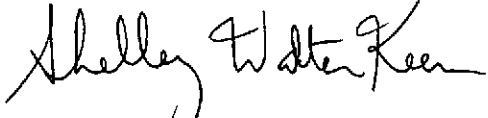
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

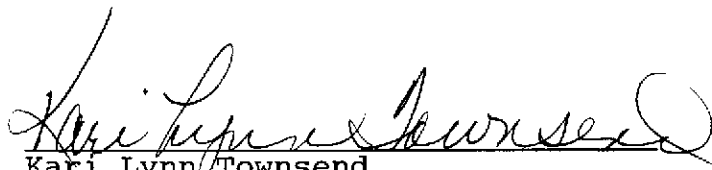
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of May, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 96-08964

JOHN KUBIAK
2619 S GARFIELD RD
SPOKANE WA 99203


Kari Lynn Townsend
Secretary

REC
2004 10 15 10:00

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08964 DATE 5/8/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV OK Change (Para P39 - gov P40/P47) Add (P45/P42)
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc) OK lot 1 listed on permit

Overlaps: Right(s):
 File reviewed Profile reports printed

PLACE OF USE OK Change (P41 - gov P43/P47) Add (P41/P42)
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s):
 File reviewed Profile reports printed

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .20 cfs \$50.00
 Measured cfs
 Theoretical .04 cfs
 Recommended Total Div Rate .04 cfs

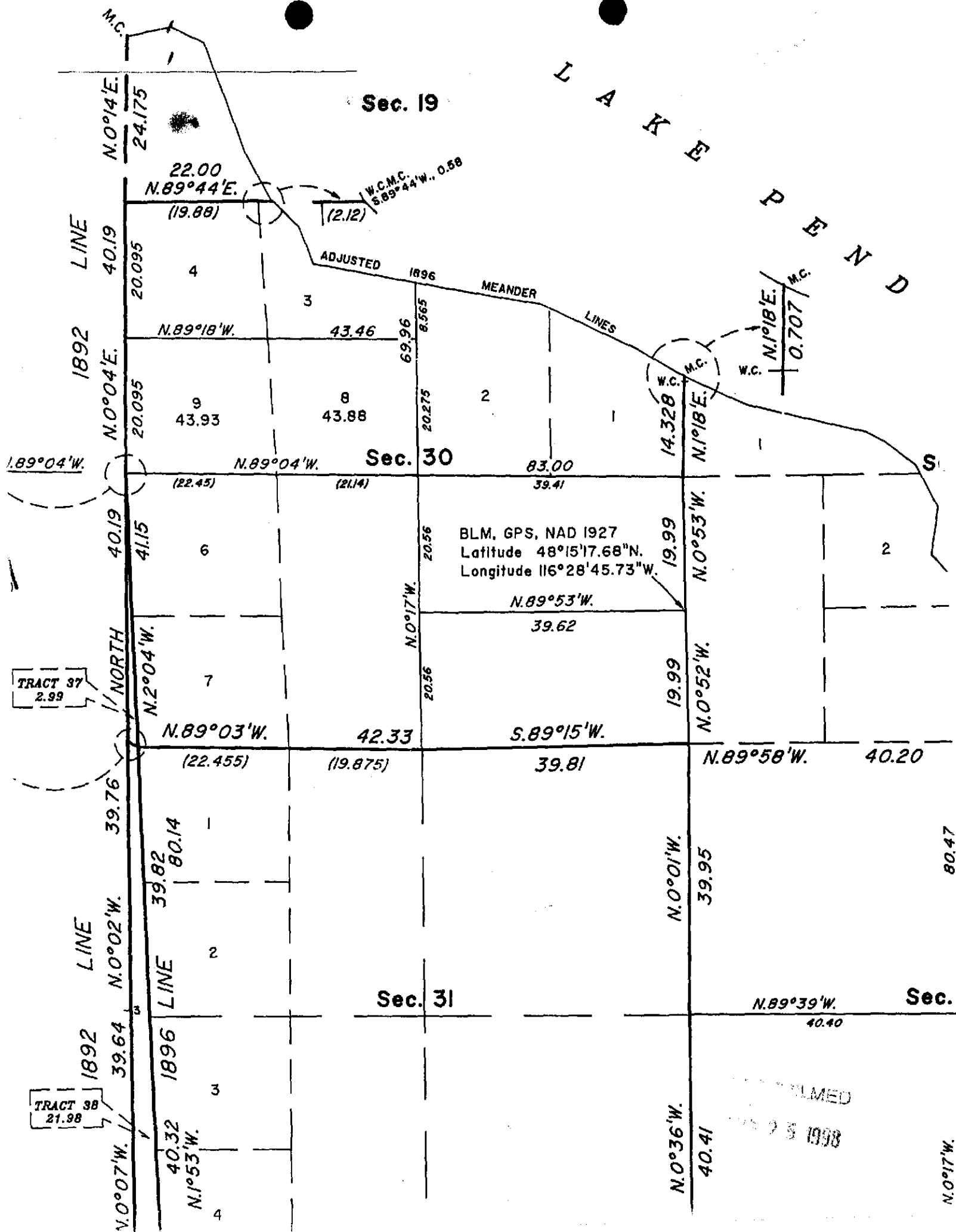
WATER USES					
<u>Dom</u>	<u>.04</u>	cfs	<u>1.2</u>	af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
		cfs		af	supp. gw (WB7/065/079)
		cfs		af	overlap spec. combined rts (W35)
		cfs		af	<1 acre (W31)
		cfs		af	Domestic (W01/WB5/070/071/075)
TOTALS	<u>.04</u>	cfs	<u>1.2</u>	af	Power (W42 or W43/025/027/R22 or R23)
					Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

REMARKS lot 1, Contested Point Subd
WB9

ADD'L CONDITIONS Watermaster Control WD#
 GW Measurement/Measuring Device
03F Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes ✓ no SRBA Claim N/A Adjust Memo
 Amend letters



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

APR 16 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-08964

1. Owner: John Kubiak Phone No. (509) 624-6385

Current Address: 2619 S. Garfield Rd. Spokane WA 99203

2. Accompanied by: NONE EXAM DATE: 4-9-98

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. 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
	01		NW	SW	19	57N	1W	Bonner	4565 7.5' Quad., Metsker maps

2. Place(s) of Use:

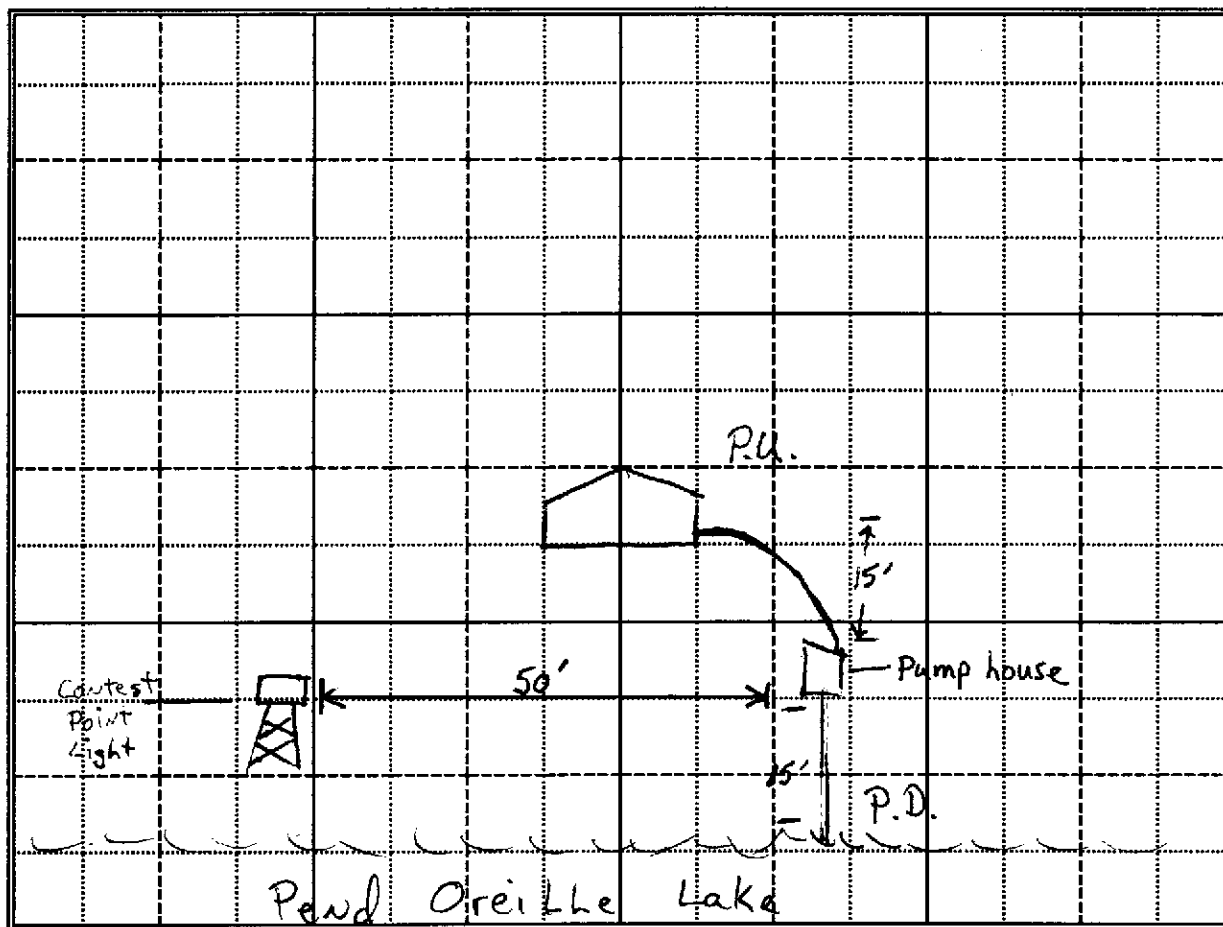
Indicate Method of Determination 4565 7.5' Quad., Metsker

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	1W	19																	

APR 16 1998

APR 16 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NA

☒ 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
		.5			

*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:

MOBILE CLERK
AUG 20 1968

E. NARRATIVE/REMARKS/COMMENTS

Water being diverted from Perd Oreille lake using a .5 horse power pump. Water is supplied to house through a 1" plastic pipe.

It is my determination that the Place of Use and the Point of diversion are both located in the Northwest 1/4 of the Southwest 1/4 of Section 19 T57N R1W

Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED
JAN 25 1998

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

See theoretical**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>1/01</u>	<u>12/31</u>	<u>.04</u>	<u>1.2</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>.04</u>	<u>1.2</u>

2. 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

I. AUTHENTICATIONField Examiner's Name David A. Payel Date 4-14-98

Reviewer _____ Date _____

SEAL

MAILED
APR 23 1998

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08964, J. KUBIAK

DATE: 10-APR-98

COMPLETE BY: PAGEL

HORSEPOWER = .5

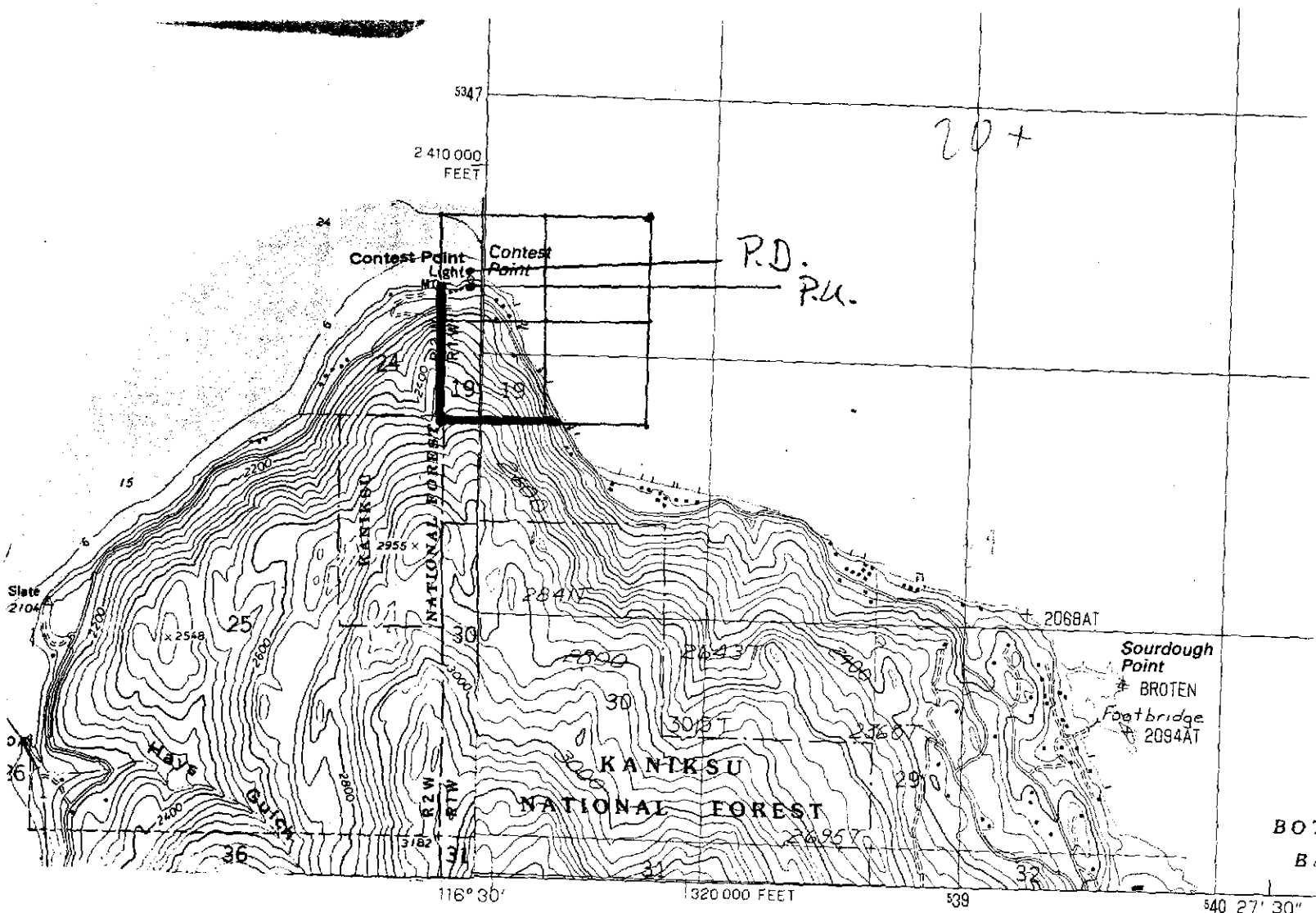
PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 15 FEET

SYSTEM PRESSURE = 30 PSI

QUANTITY = 0.04 CFS

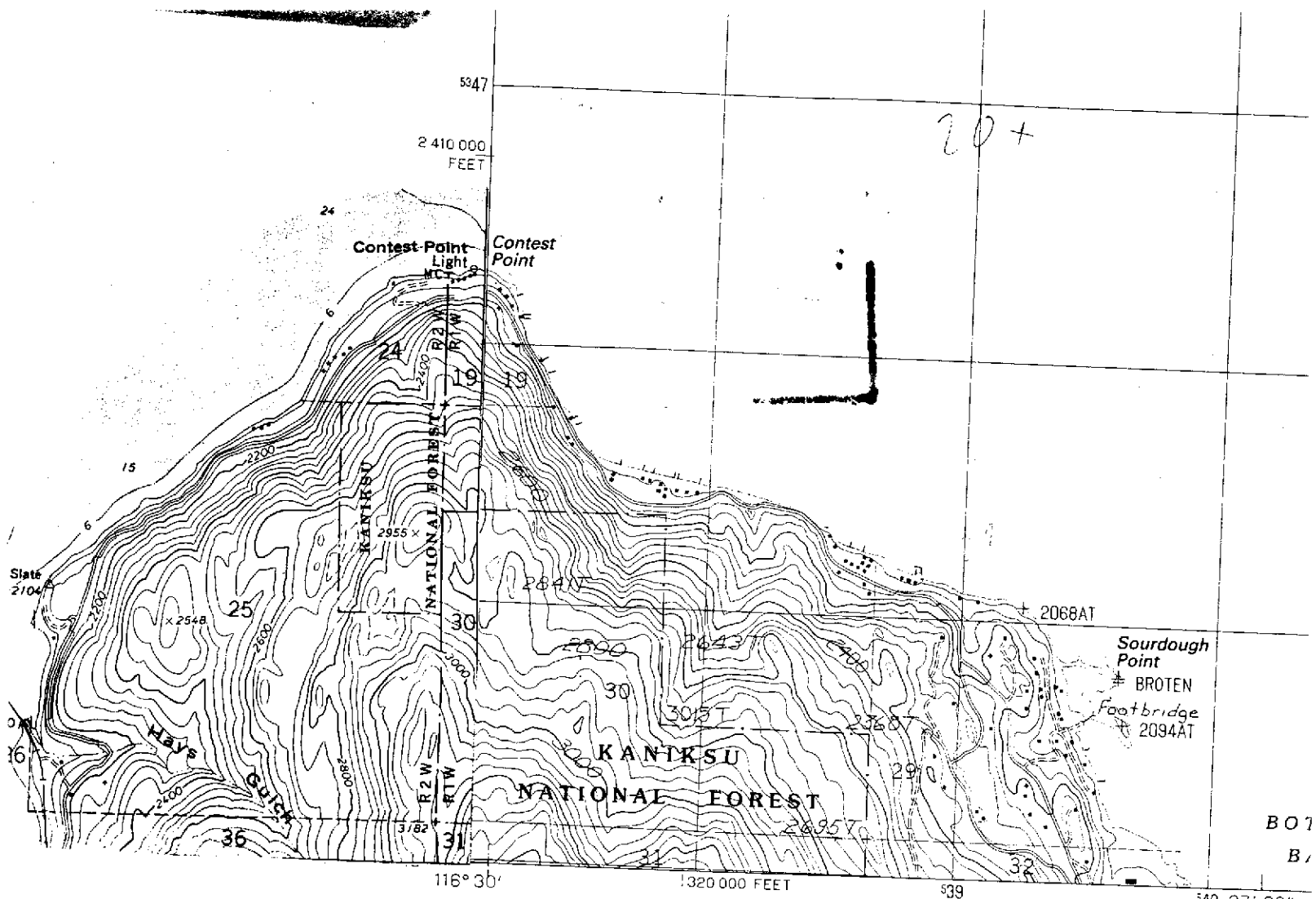
REC'D
APR 25 1998



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1986
 FIELD CHECKED 1987 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
 10,000-FOOT STATE GRID TICKS IDAHO, WEST ZONE
 UTM GRID DECLINATION 0°25' EAST
 1989 MAGNETIC NORTH DECLINATION 19' EAST
 VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
 HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
 To place on the predicted North American Datum of 1983,
 move the projection lines as shown by dashed corner ticks
 (13 meters north and 77 meters east)
 There may be private inholdings within the boundaries of any
 Federal and State Reservations shown on this map
 No distinction made between houses, barns, and other buildings

PROVISIONAL MAP
 Produced from original
 manuscript drawings. Infor-
 mation shown as of date of
 photography. 1

96-08964
 57N-01W-19



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
 CONTROL BY USGS, NOS/NOAA
 COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1986
 FIELD CHECKED 1987 MAP EDITED 1989
 PROJECTION TRANSVERSE MERCATOR
 GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
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 (13 meters north and 77 meters east)
 There may be private inholdings within the boundaries of any
 Federal and State Reservations shown on this map
 No distinction made between houses, barns, and other buildings

PROVISIONAL MAP
 Produced from original
 manuscript drawings. Inform-
 ation shown as of date of
 photography. 1

46980-0
 01-1110-AT-2

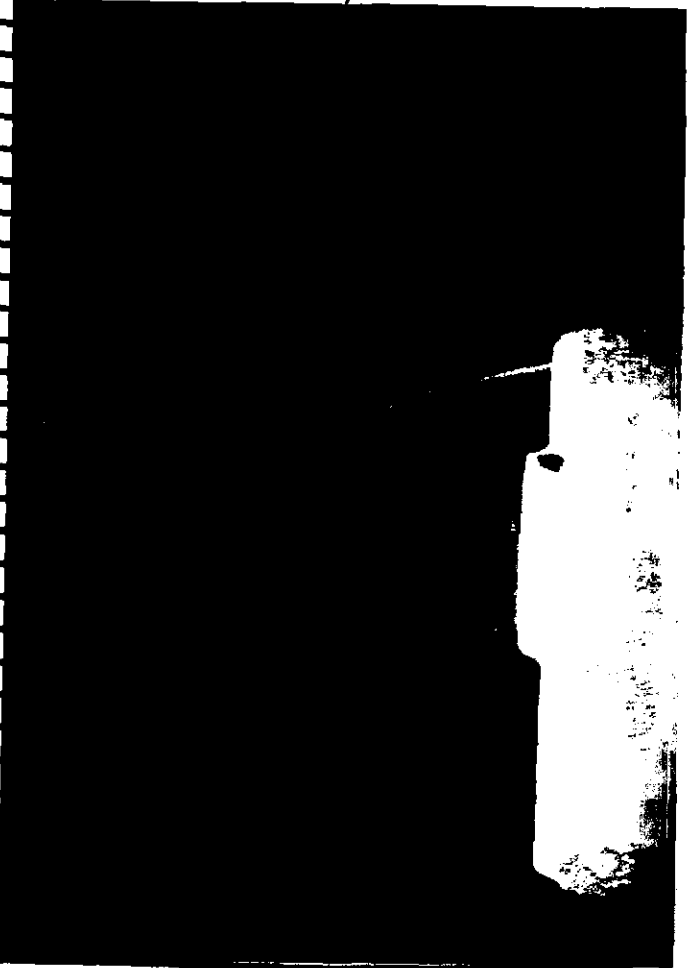
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 96-08964

PHOTOGRAPHS



Pump / Pressure tank



Place of use

Point
of
diversion

MOORE

AUG 27 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08964 Reviewed by Jay Date 11-25-97

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

dom.

Correct Uses? yes

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

yes Required?

0 Amount Submitted

no Correct?

MEASURING DEVICE

no Required?

☐ Installed?

☐ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority Date	_____	+
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

*Request \$50.00 lic. exam fee.
12/24 Fee Received / Proof acceptable*

DATA ENTRY

New Address _____ Proof Made 11-3-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 23, 1998

John Kubiak
2619 S Garfield Rd
Spokane WA 99203

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08964

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 department's Northern Regional Office in Coeur d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
APR 28 1998



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 2, 1997

John Kubiak
2619 S Garfield Rd
Spokane WA 99203

RE: Permit No. 96-08964

Dear Permit Holder:

I have returned a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. The proof as filed is not acceptable since was not accompanied by the \$50.00 license examination fee. Permits which divert 0.04 cfs or less from a ground water source are exempt from the filing fee, however, you are diverting water from a surface water source (Lake Pend Oreille) and are not exempt from the fee.

Please return the copy of the proof form along with the \$50.00 license examination fee within 60 days of receipt of this letter. **Please address your correspondence to my attention.**

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julie L. Yarbrough', is written over a faint, larger version of the same signature.

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - N. Region

MICROFILMED
APR 28 1998



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 2, 1997

John Kubiak
2619 S Garfield Rd
Spokane WA 99203

RE: Permit No. 96-08964

Dear Permit Holder:

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Please return the copy of the proof form along with the \$50.00 license examination fee within **60 days** of receipt of this letter. **Please address your correspondence to my attention.**

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, reading 'Julie L. Yarbrough'. The signature is fluid and cursive, with the first name 'Julie' being the most prominent.

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - N. Region

MICROFILMED
APR 28 1998



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

October 27, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN KUBIAK
2619 S GARFIELD RD
SPOKANE WA 99023

PERMIT APPROVAL NOTICE

RE: PERMIT 96-08964

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.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

MICROFILMED

APR 28 1998

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right 96-08964

JOHN KUBIAK
2619 S GARFIELD RD
SPOKANE WA 99203


Kari Lynn Townsend
Secretary

MICROFILMED
APR 28 1998

11/97

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by Cindy Lou

No.: 96-8964 Name: Kubiak Date: 10/22/97 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/no proof

P16

>1 year

- 26A-P17

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

>0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD >0.24 cfs

- 01M (report when notified)

>5 a.

- 01M; 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- No MD

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87; ✓ WDQ3)

Included w/permit

- Permit No. _____ - _____ - _____ - _____, P99

No drilling permit?

- 046-46B-P23 (post 7/1/87)

irr. in WD

- P05 (new well location)

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

IN/ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 Pend. Orville River

WD (✓ MAP & LISTING)

- R04 (WD # _____) - 01J-P08 (MD)

Pumped >0.20 cfs

- 01H-P01 (LD & MD) 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-P07 (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-P53

Fish Propagation

- 029-007-042(req)-081-R07 (WQ)-P10; 044 (N of 1000 Springs)

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R49/R50/R51/R52 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres

- R29/R30/R31/R32 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req) -081-R07-P10

Muni (in restricted areas)

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

Power

- 17H/17K(+uses)-08A-025-01N(P19)-028-081-R07(P10); 027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

Stock

- 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)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

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) DofL**OTHER CONDITIONS:****STANDARD REMARKS:**

- ① PU/LT 4, B1, Contest Point Subd.

② WB9**BENEFICIAL USE DUE:**

- 10/1/1998

COMMENTS:

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WR /
WRA
BC

APPLICATION # 96-8964

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

APPLICANT: KUBIAK BY: AB DATE: 6/24/97

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
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowledgment)

*** 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 # _____

RECEIVED

OCT 20 1997

PROCESSING

Yes No

PRIORITY DATE: 6/24/97

X (Include Moratorium Remark)

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

BC/plus/ok

ADVERTISE IN: Bonneville County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

- 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?
Well Drilling Application Number _____

***** 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: Resubmitted

to correct Div. lot in both PDD & POU

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

9/15/97 Protests received. Final protest date: 8/25/97

10/6/97 Measuring device required

Measuring port required

Special conditions: _____

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

Approval Recommended by: AB RJA Date: 10/10/97

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:

Notice of Correction

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 18 day of Sept., 1997
and ending on the 25 day of Sept., 1997
and that said notice was published in said newspaper.

On this 25 day of Sept. in the year
of 1997, 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: 6/00

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN
THAT APPLICATION FOR PERMIT
NO. 96-08964 in the name of JOHN
KUBIAK, 2619 S GARFIELD ROAD,
SPOKANE, WA 99203, was incor-
rectly advertised on August 7 and 14,
1997.

The POINT OF DIVERSION and
the PLACE OF USE were incorrectly
advertised as Lot 2 (SWSW) Sec 19
T57N R01W in BONNER County,
whereas correctly they should read
LOT 1 (SWSW) Sec 19 T57N
R01W in Bonner County.

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

Any protests against the approval
of the above-referenced correction
must be filed with the applicant and
with the Director, Dept. of Water
Resources, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Id. 83814,
together with a protest fee of \$25.00
on or before October 6, 1997.

KARL J. DREHER, Dir.
SNP#8667 Sep 18, 25, 1997

RECEIVED

OCT 03 1997

NORTHERN REGION
IDM/D

MICROFILMED

APR 28 1998

8667

September 10, 1997

Bonner County Daily Bee
PO Box 159
Sandpoint ID 83864

Re: Water Right No. 96-08964

Gentlemen:

Enclosed you will find a legal Notice of Correction which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send the Affidavit of Publication, and the bill, to this office before October 6, 1997.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

MICROFILMED

APR 28 1998

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 96-08964 in the name of JOHN KUBIAK, 2619 S GARFIELD ROAD, SPOKANE, WA 99203, was incorrectly advertised on August 7 and 14, 1997.

The POINT OF DIVERSION and the PLACE OF USE were incorrectly advertised as Lot 2 (SWSW) Sec 19 T57N R01W in BONNER County, whereas correctly they should read LOT 1 (SWSW) Sec 19 T57N R01W in Bonner County.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before October 6, 1997.

KARL J. DREHER, Dir.

Published in the Bonner County Daily Bee on 9/18 & 25/1997.

MICROFILMED

APR 28 1998

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Debra Bergman 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:

Application for Water Right

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 7 day of Aug., 1997
and ending on the 14 day of Aug., 1997
and that said notice was published in said newspaper.

On this 14 day of Aug. in the year
of 1997, before me, a Notary Public, personally
appeared Debra Bergman,
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 MICROFILMED

My commission expires: 6/00 APR 28 1996

RECEIVED

SEP 05 1997

NORTHERN REGION
IDWR

Readmission for quit lot

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08964

KUBIAK, JOHN
2619 S GARFIELD ROAD
SPOKANE, WA 99203
Source: PEND OREILLE LAKE
Tributary: PEND OREILLE RIVER
Diversion Pt: LOT 2 (SWSW) Sec
19 T 57N R 01W in BONNER
County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 6/24/1997

In: BONNER County

T57N R01W S19 Lot 2 (SWSW)

96-08966

RAND, RICHARD

PO BOX 302

ROSALIA, WA 99170

Source: GRANITE CREEK

Tributary: PEND OREILLE LAKE

Diversion Pt: NWSE Sec 26 T 55N

R 01W in BONNER County.

Use: IRRIGATION (0.020 CFS)

FIRE PROTECTION (0.020 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 7/25/1997

In: BONNER County

T55N R01W S26 NWSE

0.4 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 AUGUST
25, 1997

KARL J. DREHER, Director
SNP#8555 Aug 7, 14, 1997

8555

96-08964

KUBIAK, JOHN
2619 S GARFIELD ROAD
SPOKANE, WA 99203

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: LOT 2 (SWSW) Sec 19 T 57N R 01W in BONNER County.

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

Date Filed: 6/24/1997

In: BONNER County
T57N R01W S19 Lot 2 (SWSW)

*Back Shovel be
Lot 1*

MONITOR

APR 28 1998

July 30, 1997

John Kubiak
2518 S Garfield Road
Spokane WA 99203

Re: Water Appropriation Application No. 96-08964

Dear Mr. Kubiak:

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 N011363.

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

RECEIVED

APR 28 1998