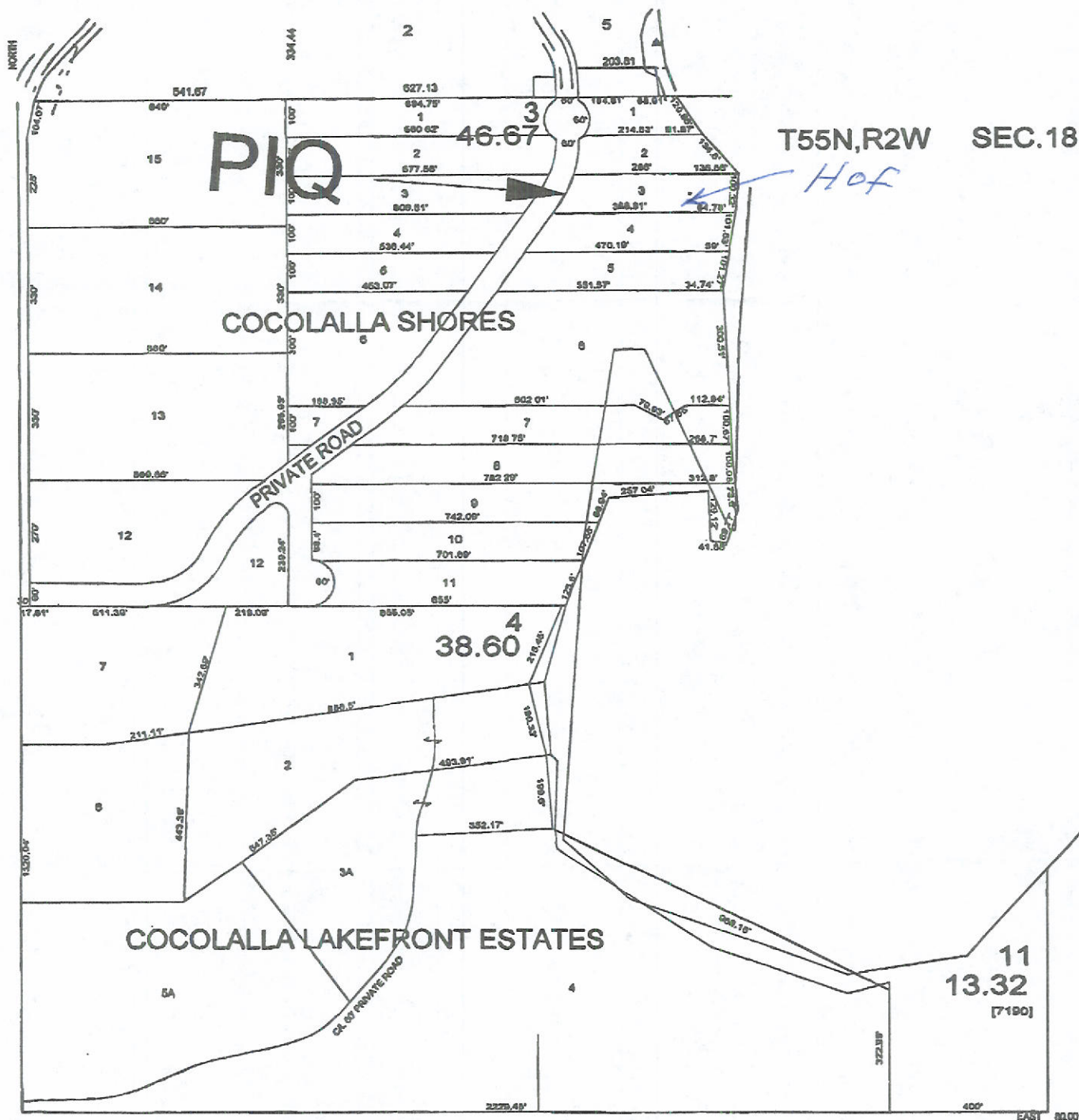


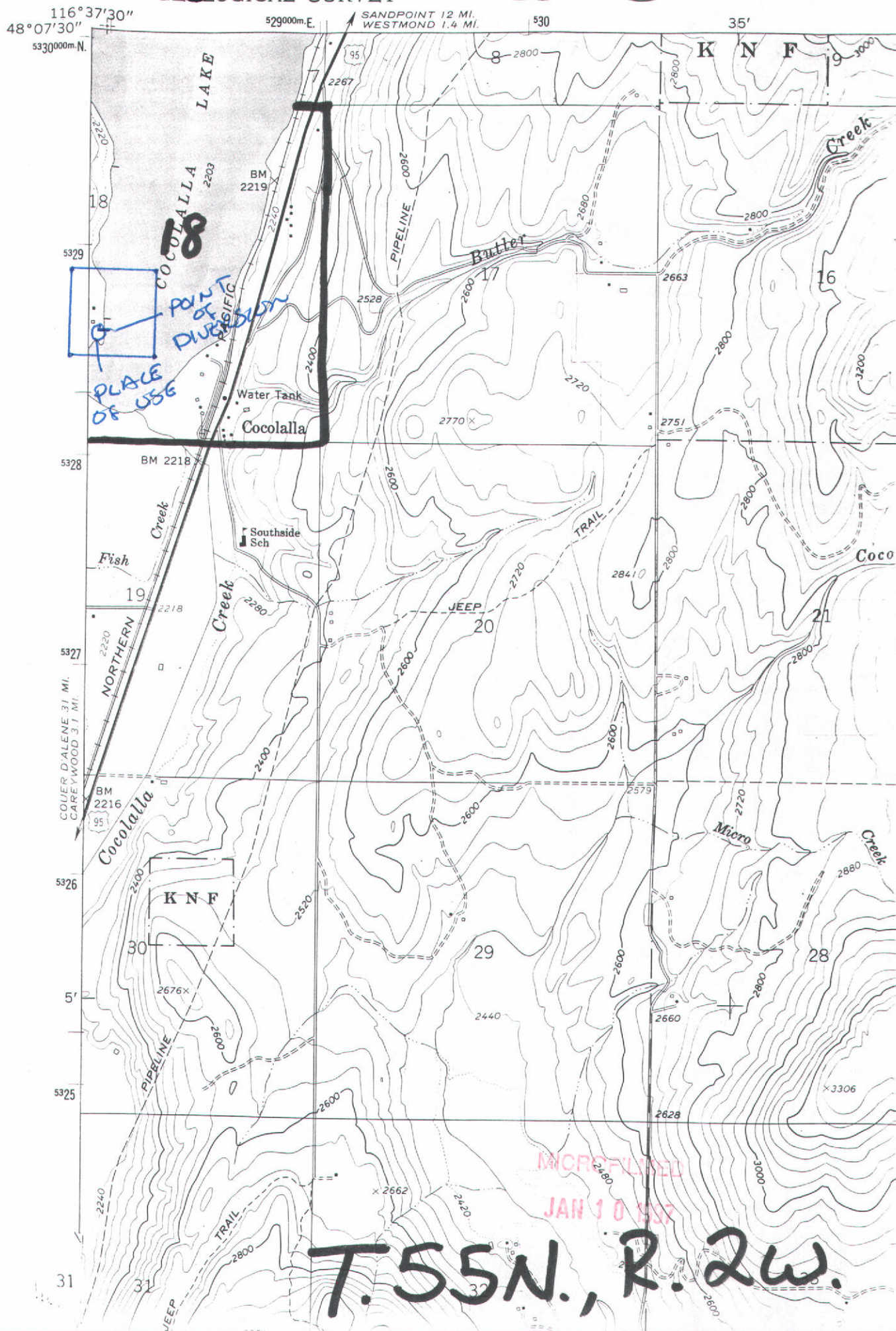


MICROFILMED

MAR 24 2003

2680 11 NW
(MORTON)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



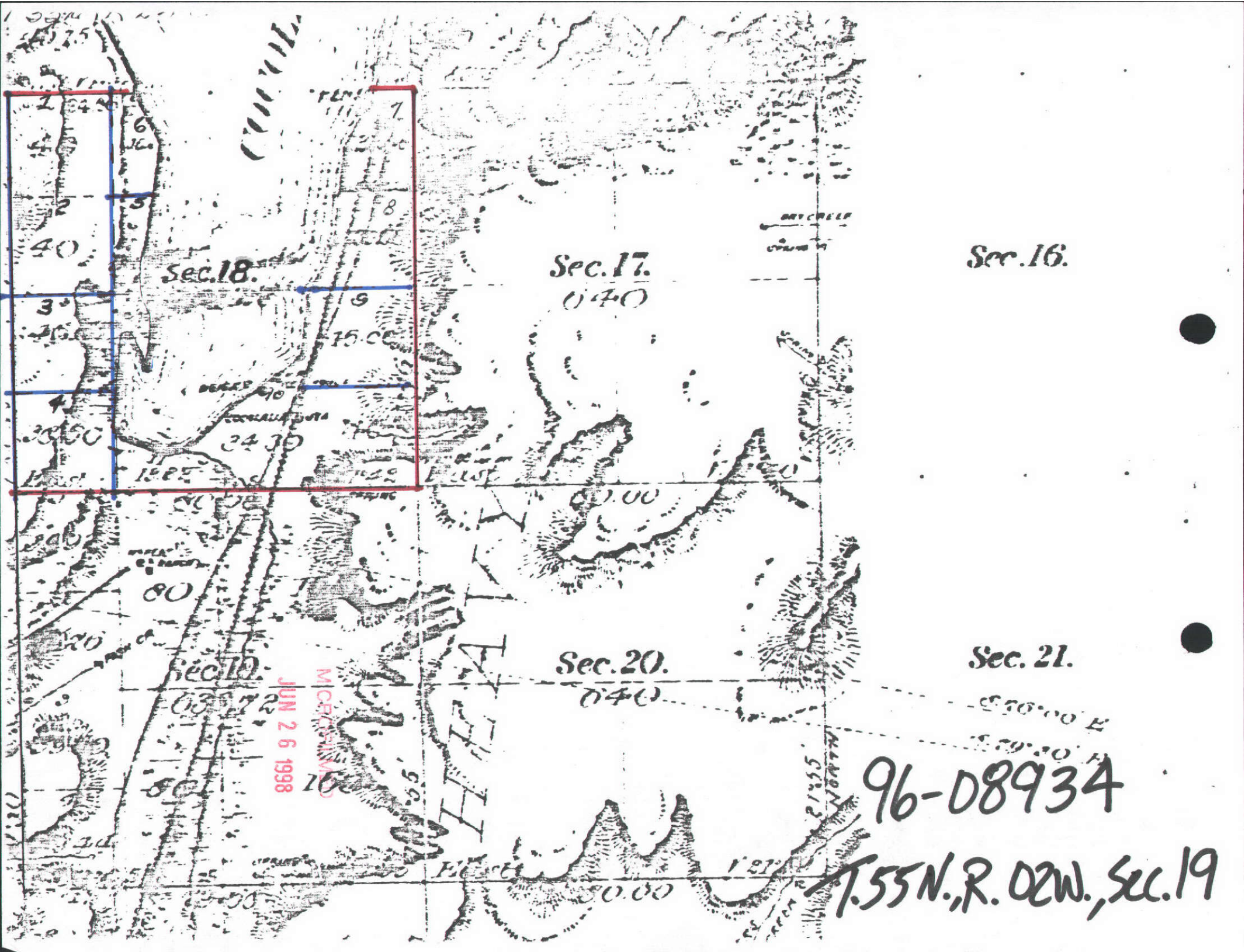
MICROFILMED
JAN 10 1987

T. 55N., R. 2W.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Topographic map of the Cocolalla Lake area. The map features contour lines, a grid system, and various geographical features. Handwritten annotations in blue ink include "R.03W", "R.02W", "96-08934", "T.55N, R.02W, SEC 18", and "PHILLIPS, ROBERT S.". A red grid is overlaid on the map, with a red dot marking a specific location. The map also shows "Cocolalla Lake", "Cocolalla (Siding)", "Southside Sch", "Water Tank", "Sandpit", "Fish Creek", "Creek", "Pipeline", "JEEP", "TRAIL", and "K N F". A red stamp at the bottom left reads "MICROFILMED JUN 26 1998".



Sec. 18.

Sec. 17.
040

Sec. 16.

Sec. 19.
03572

Sec. 20.
040

Sec. 21.

96-08934

T.55N., R. 02W., Sec. 19

MCPHILLMAN
JUN 26 1998

PERMIT #

96-08934

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT



Pump



pu



pu

1/4
Pu
Buried

MICROFILMED
JUN 26 1998

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 21 2003

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.

Incomplete forms will be returned.

Department of Water Resources

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
96-8934					

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

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

OR

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

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

ROBERT S PHILLIPSPO BOX 323 Sagle ID 83860

4. New Owner/Claimant(s)

ROBERT T Hof & Donna A. HofName Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

354 STEEP Lane, COCOHALLA, ID, 83813

City, State and ZIP Code

New Telephone Number

(208) 2552532

5. Date you acquired the property

6-21-99

MICROFILMED

MAR 24 2003

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

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

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

7. Signature of New Owner(s) or Claimant(s) Robert T. Hay
(include title if applicable)

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

For Office Use Only

Received by db Date 3/18/03 Fee \$25.00
 Received by db Date 3/18/03 Receipt No. N015526
 Processed by _____ AJ Date _____ WR _____ Date _____

MICROFILMED

MAR 24 2003

POLICY OF TITLE INSURANCE ISSUED BY

STEWART TITLE

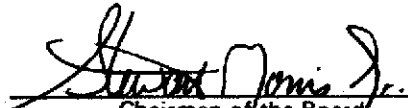
GUARANTY COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, STEWART TITLE GUARANTY COMPANY, a Texas corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused this policy to be signed and sealed by its duly authorized officers as of the date of Policy shown in Schedule A.


Chairman of the Board

Countersigned:

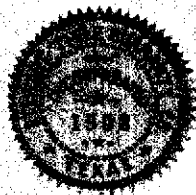

Authorized Signatory
SANDPOINT TITLE INSURANCE

Company

City, State

STEWART TITLE
GUARANTY COMPANY


President



EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
(a) created, suffered, assumed or agreed to by the insured claimant;
(b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
(c) resulting in no loss or damage to the insured claimant;
(d) attaching or created subsequent to Date of Policy; or
(e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the Insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
(a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
(b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
(i) to timely record the instrument of transfer; or
(ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.



Sandpoint Title Insurance, Inc.

Agent for
Stewart Title Guaranty

OWNER'S TITLE INSURANCE POLICY

Schedule A

File Number 00022567

Date of Policy: 06/21/1999 at 12:28 P.M.

Policy Number: O-9993-1731057

Amount of Insurance \$192,500.00

Premium: \$844.00

Shows Credit: ☐

Name of Insured

ROBERT T. HOF and DONNA A. HOF

2 The estate or interest in the land which is covered by this Policy is:

Fee Simple

3 Title to the estate or interest in the land is vested in:

ROBERT T. HOF and DONNA A. HOF, HUSBAND AND WIFE

4 The land referred to in this Policy is described as follows:

Lot 3 of COCOLALLA SHORES, according to the plat thereof, recorded in Book 3 of Plats, page 79, records of Bonner County, Idaho.

Sandpoint Title Insurance, Inc.

By:


Authorized Officer of Agent

This policy is invalid unless the insuring provisions and Schedules A and B are attached.

MICROFILMED

MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-08934

Priority: August 8, 1996

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

1.5 AF

This is to certify, that ROBERT S PHILLIPS

7181 LOOP RD

COCOLALLA ID 83813

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 8, 1996; and has submitted Proof of Beneficial Use on December 23, 1996. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from:

COCOLALLA LAKE

tributary to **COCOLALLA CREEK**

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>
IRRIGATION	03/15 to 11/15	0.02 CFS	1.5 AF
FIRE PROTECTION	01/01 to 12/31	0.03 CFS	
	Totals	0.03 CFS	1.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NESW), Sec. 18, Township 55N, 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>
55N	02W	18	Lot 3(NESW)	0.5		0.5

Total number of acres irrigated: 0.5

PLACE OF USE:

FIRE PROTECTION, same as IRRIGATION use

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.

RECORDED
JUN 28 1996

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 96-08934

CONDITIONS OF APPROVAL AND REMARKS

5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.5 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. Witness the seal and signature of the Director, affixed at Boise, this 23rd day of April, 1998.


Acting for KARL J. DREHER, Director

RECORDED

APR 23 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 04 1996

PROOF OF BENEFICIAL USE

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. 96-08934 Telephone No. 208-263-2477

2. Name(s) of Permit Holder(s): ROBERT PHILLIPS

3. Mailing Address: 7181 LOOP RD - COCOLALLA ID 83813

4. Source of Water: LAKE COCOLALLA If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - -

b. **OPTIONAL:**
Pump Horsepower: 1 HP 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): NA

Irrigation (No. of acres): 1/2 Other: FIRE PROTECTION

6. Total rate of diversion and/or volume for which proof is submitted: UNB 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 ✓
Has the measuring device been installed? Yes or No ✓

Flow Measurement Port: Is a flow measurement port required? Yes or No ✓
Has the measurement port been installed? Yes or No ✓

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: ROBERT PHILLIPS Telephone Number: 263-2477

Address: 7181 LOOP RD COCOLALLA ID 83813

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: Robert Phillips Date: 10/31/96
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08934

Proposed Priority: August 8, 1996

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **ROBERT S PHILLIPS**

7181 LOOP RD

COCOLALLA ID 83813

has applied for a permit to appropriate water from:

COCOLALLA LAKE

tributary of **COCOLALLA CREEK**

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	0.03 CFS
FIRE PROTECTION	01/01 to 12/31	0.20 CFS
Totals		0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NESW), Sec. 18, Township 55N, 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>
55N	02W	18	Lot 3(NESW)	0.5		0.5

Total number of acres irrigated: 0.5

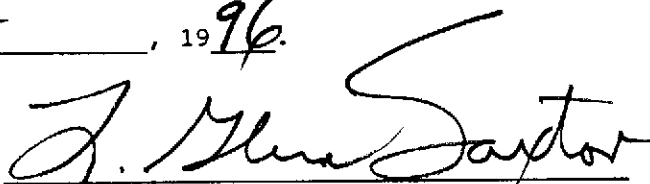
PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1997**.
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 0.03 cfs for the land described above.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

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

17th day of October, 1996.


Karl J. Dreher, Director

for

RECEIVED

OCT 10 1996

Ident. No.

96-08934

FORM 202

2/96

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant ROBERT S. PHILLIPS Phone 263-2477
Mailing address 7181 LOOP RD COCOLALLA ID 83813
2. Source of water supply COCOLALLA LAKE which is a tributary of Cocolalla Creek
3. Location of point of diversion is Township 55N Range 2W Sec. 18, in the NE 1/4, SW 1/4, Govt. Lot 3*, B.M., BOYNER County;
additional points of diversion if any: _____
4. Water will be used for the following purposes: FIRE PROTECTION
Amount 0.03 for IRRIGATION purposes from 3/15 to 4/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.20 for FIRE PROTECTION purposes from 7/1 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)
5. Total quantity to be appropriated is (a) 0.20 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 IN LAKE
 - 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 LAWN + GARDEN

JAN 16 1997

* per govt plat. 10/15/96 cc.

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	
SSN	2W	18									L13 .5								

Total number of acres to be irrigated .5

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? APPLICANT / LANDS

b. Who owns the land to be irrigated or place of use? APPLICANT

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.)

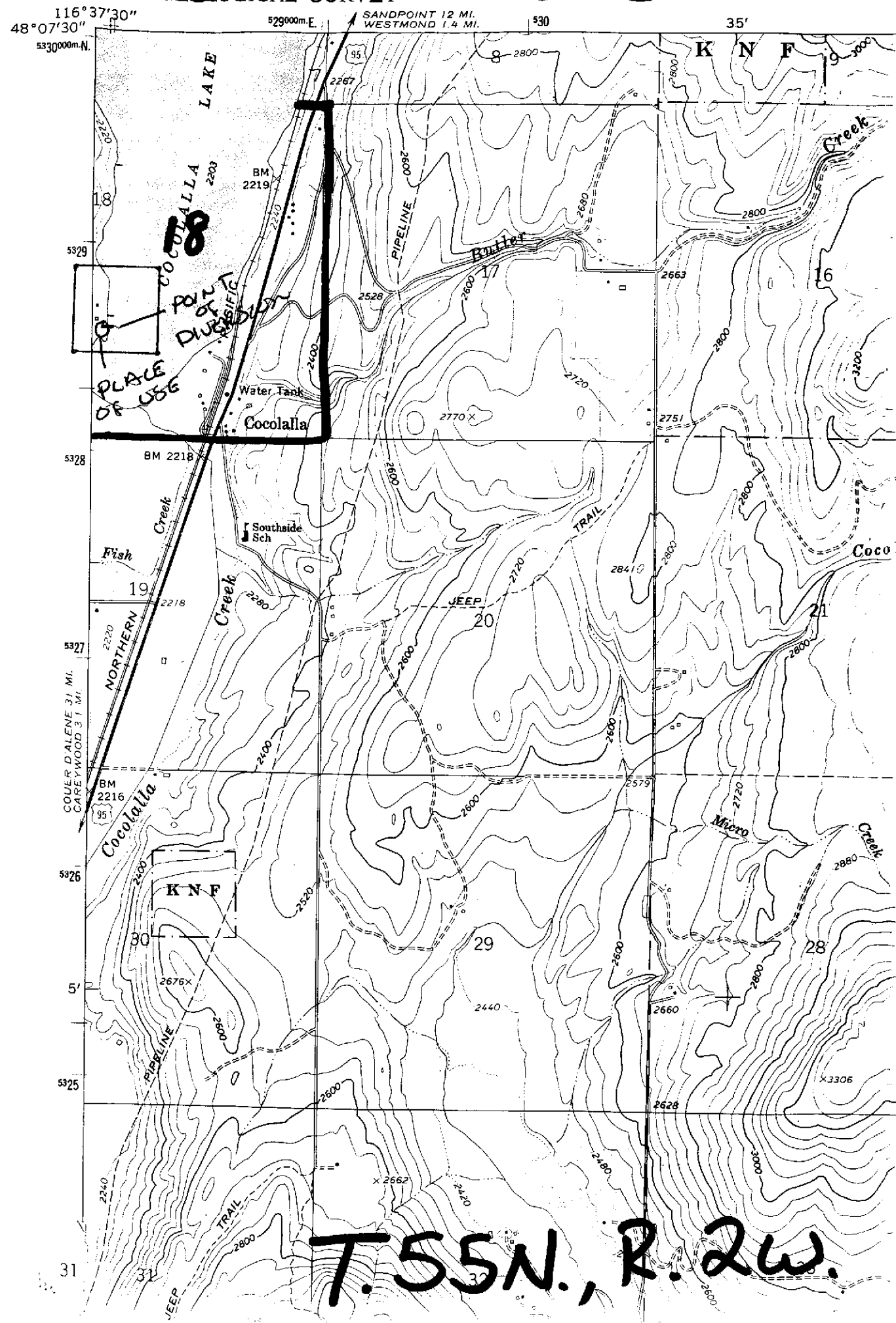
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
Signature of Applicant (and title, if applicable)

Received by AS Date 8/8/96 Time 1:45 Preliminary check by AS
 Fee \$ 50 Received by AS # 0010546 Date 8/8/96
 Publication prepared by AS Date 8/28/96 Published in Bornier Co. Daily, Born 9/5 + 12/96
 Publication approved AS Date 10/4/96

380 11 NW
(MORTON)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T. 55N., R. 2W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2003

ROBERT T HOF
DONNA A HOF
354 STEEP LN
COCOLALLA ID 83813

RE: Change of Ownership for Water Right 96-8934

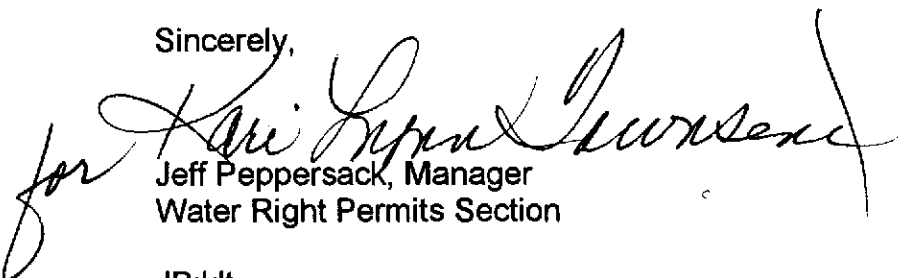
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
MAR 21 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 2003

RECEIVED
MAR 21 2003
Department of Water Resources

ROBERT T HOF & DONNA A HOF
354 STEEP LANE
COCOLALLA ID 83813

Re: Water Right 96-8934

Dear Mr. and Mrs. Hof:

This acknowledges receipt of the Notice of Change in Water Right Ownership papers for the above referenced water right, changing the ownership to you. Enclosed is receipt No. N015526, for your records.

We are forwarding the paperwork to the State Office for processing.

If you have any questions, please contact KariLynn Townsend in our State Office, at 208-327-7941.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

cc: IDWR State Office

MICROFILMED
MAR 24 2003

3-30-93

State of Idaho
water Resource Board
Re: Water Right # 96-08934

RECEIVED

APR 02 1999

Department of Water Resources

This is to inform you that our new
address has been changed from
7181 Loop Rd #354 Steep Lane
both of Carrollton 2d. 83813

Our mailing address is now
PO Box 323
Sagle 2d 83860

Thank you

Robert S. Phillips
PO 323
Sagle 2d 83860

4.2.99 WR2 database updated -Ket

MICROFILMED

MAR 24 2003



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

April 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROBERT S PHILLIPS
7181 LOOP RD
COCOLALLA ID 83813

RE: WATER RIGHT NO. 96-08934

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.

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,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

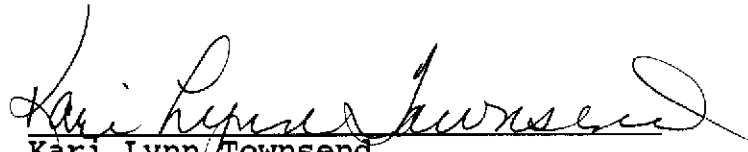
RECEIVED
JUN 20 1993

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of April, 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. 96-08934

ROBERT S PHILLIPS
7181 LOOP RD
COCOLALLA ID 83813


Kari Lynn Townsend
Secretary

RECORDED

JUN 26 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08934 DATE 4/17/98 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)

Gov. Lot 3

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)

Gov. Lot 3

250' x 50' = .3 ac.

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

1/2 ac OK

RATE OF DIV

Permitted Rate .20 cfs

Fee limit .20 cfs \$50⁰⁰

Measured _____ cfs

Theoretical .03 cfs .04 @ 45 PSI

Recommended Total Div Rate .03 cfs

WATER USES

WATER USES	cfs	af	Notes
<u>Fire</u>	<u>.02</u>	<u>5x3 = 1.5</u>	overlap (R58-R61, R62-R65, R66-R69)
<u>Fire</u>	<u>.03</u>	<u>N/A</u>	supp. gw (WB7/065/079)
<u>_____</u>	<u>_____</u>	<u>_____</u>	overlap spec. combined rts (W35)
<u>_____</u>	<u>_____</u>	<u>_____</u>	<1 acre (W31)
<u>_____</u>	<u>_____</u>	<u>_____</u>	Domestic (W01/WB5/070/071/075)
<u>TOTALS</u>	<u>.03</u>	<u>1.5</u>	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate _____ cfs X _____ days X 1.98 = _____ af

REMARKS

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

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo irr. rate
 Amend letters _____

MEMORANDUM

TO: File 96-08934

FROM: Sharla

DATE: April 21, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 96-08934 are as follows:

H. RECOMMENDATIONS

Irrigation	3/15 - 11/15	0.02 cfs	1.5 afa
Fire Protection	1/1 - 12/31	0.03 cfs	
	TOTALS	0.03 cfs	1.5 afa

The rate per acre allowed for rights of 5 acres or less is 0.03 cfs/acre. This license is only for ½ acre, thus the rate is $0.5 \times 0.03 = 0.02$ cfs.

Examiner: Wayne Baldwin

Exam Date: June 4, 1997

MICROFILMED
JUN 26 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

96-08934

A. GENERAL INFORMATION

Permit No.

1. Owner: Robert S Phillips

Phone No. 208-263-2477

Current Address: 7181 Loop Rd Cocolalla Id 83813

2. Accompanied by: Robert Phillips

EXAM DATE: 6-4-97

Address: Same as above

Phone No.

Relationship to Permit Holder:

3. Source: Cocolalla Lake tributary to Cocolalla Creek

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
			NE	SW	18	55N	02W	Bonner	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

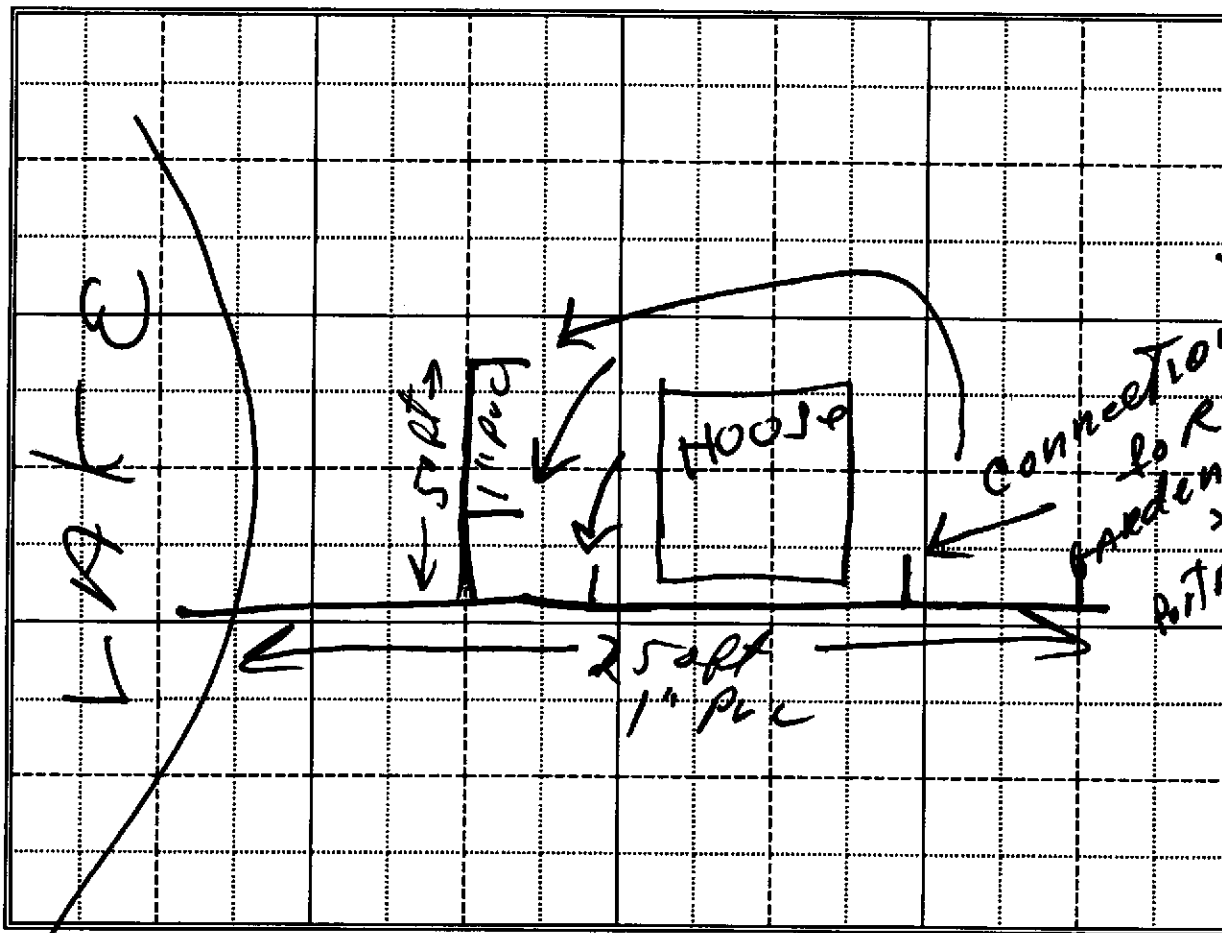
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
55N	02W	18																	

MICROFILMED

JUN 26 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" = _____

____ 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
	Goulds	1	CUR95406	Goulds	1"

*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: _____

JUN 26 1964

E. NARRATIVE/REMARKS/COMMENTS

This system was not ready for use at time of exam due to wet years. All components are on site.

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

RECORDED
JUN 28 1988

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Theoretical .03

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .5(3) = 1.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 245 \times 1.9835 = 14.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1.5$$

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		
<i>Irrigation</i>	<i>03-15</i>	<i>11-15</i>	<i>.03</i>	<i>1.5</i>
<i>Flood Protection</i>	<i>01-01</i>	<i>12-31</i>	<i>.03</i>	
Totals:			<i>.03</i>	<i>1.5</i>

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. AUTHENTICATION

Field Examiner's Name

Wayne Baldin

Date

9-11-97

Reviewer

Date

SEAL

*APPROVED
JUL 28 1998*

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08934

DATE: 11-SEP-97

COMPLETE BY: WAYNE BALDWIN

HORSEPOWER = 1

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 40 FEET

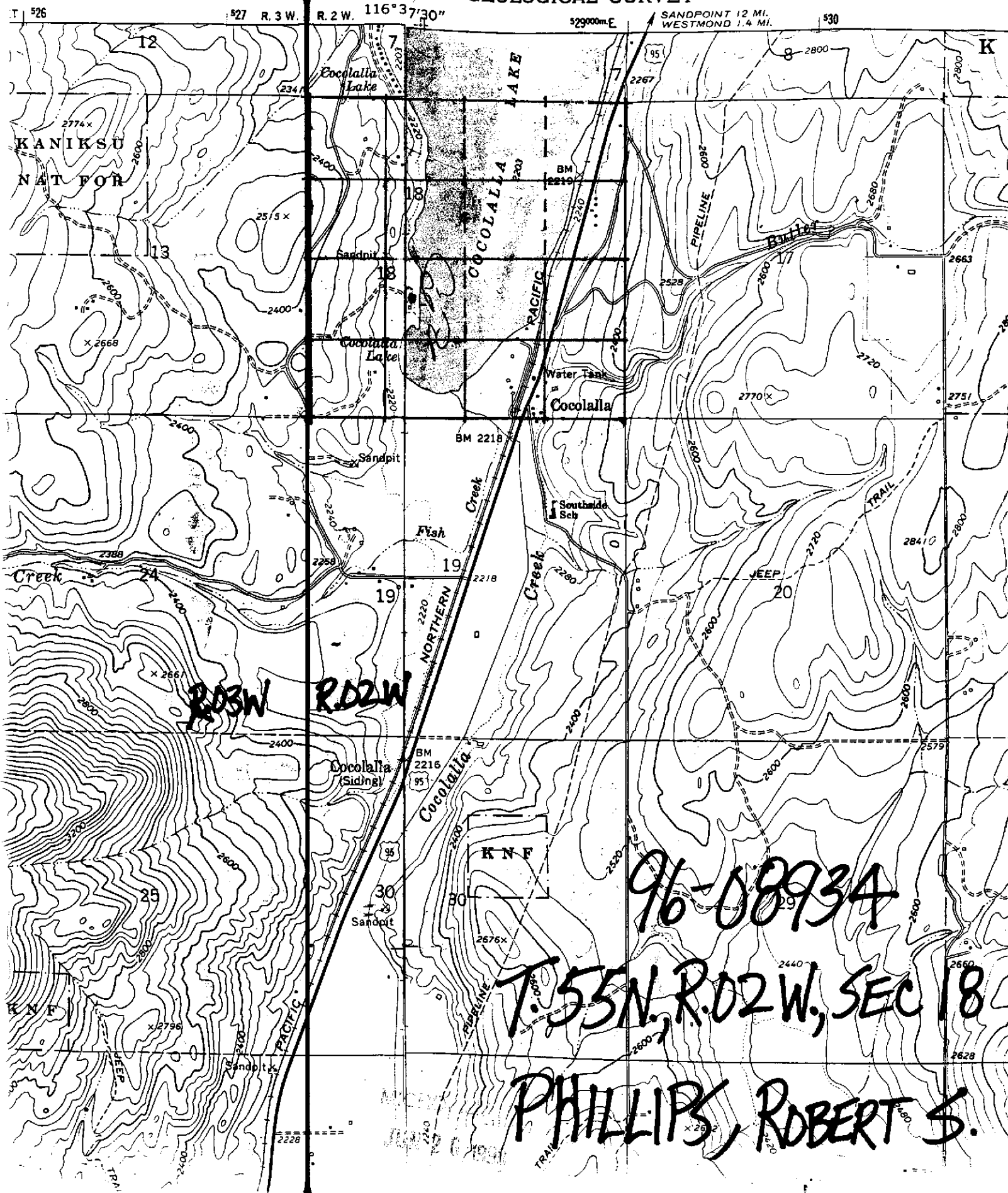
SYSTEM PRESSURE = 65 PSI

QUANTITY = 0.03 CFS

ENCLOSURE
JUN 26 1998

CAREYWOOD QUADRANGLE
IDAHO-BONNER CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



Sec. 16.

Sec. 21.

96-08934

17.55 N. 8. 02 W., Sec. 19

Sec. 17.

0.740

Sec. 20.

0.740

Sec. 18.

15.00

Sec. 19.

0.740

JUN 26 1938

96-08934

Pump

pv

9

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08934 Reviewed by Jy Date 11-14-96

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
Yes Address same as permit?
Yes Proof timely received? Correct Uses? NO
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?
0 Amount Submitted
no Correct?
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 \$5000 lic. exam fee
Fee received, proof acceptable*

DATA ENTRY

New Address _____ Proof Made 12.23.96

January 7, 1997

ROBERT S PHILLIPS
7181 LOOP RD
COCOLALLA ID 83813

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08934

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

100-100000
JAN 10 1997



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

November 18, 1996

Robert S. Phillips
7181 Loop Rd.
Cocolalla, ID 83813

RE: Permit No. 96-08934

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. The proof form is not acceptable until it is accompanied by the appropriate license examination fee.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license examination fee. They are:

- ▶ The water right must use a **ground water** (well) source, and;
- ▶ The rate of diversion must be .04 cfs or 4.0 AF or less.

You do not meet requirement #1 since you divert water from a surface water source (Cocolalla Lake). Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the copy of the proof form along with the \$50.00 license examination fee to my attention within thirty (30) days of receipt of this letter.

If you have any questions regarding this matter, please contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

10.31.96

RECEIVED

NOV 04 1996

Department of Water Resources

Re: Permit Approval Notice

We received your letter dated Oct 17, 96 and are replying to the best of our ability since we do not understand your terminology completely.

Sandpoint pump & power in Sandpoint 2d installed a GOULDS 1HP Pump Model J10 on the lake shore. There is approx 80' of 1 1/4" line with a filter end that is in the lake when in use. This goes into a 1" x 190' of water line which ~~serves~~ serves four garden faucets spaced so as to afford fire protection to the house & also to keep a small lawn around house and 7 fruit trees.

The amount of water required is surprisingly small. Our well is of a real concern to us since it is rated at 1 to 2 GPM.

The installation can be viewed at any time at below address - except the pump is kept inside during winter.

Please let us know what further information we may furnish

Sincerely

Robert Phillips

7181 Loop rd

Cocalalla 83813



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

October 17, 1996

ROBERT S PHILLIPS
7181 LOOP RD
COCOLALLA ID 83813

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08934

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

10/18/96
10:10 AM

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 96-8934 Name: Phillips Date: 10/15/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: NO10546 Priority: 8/8/96 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
~~In WD + 0.2 cfs~~ - ~~01H~~ or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WB), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - *WB5(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr <POU> =/- 5 a - ~~057~~ (0.03 cfs/A) *remark W31*
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), *W07
LOCATION:
42-248 area - In 20/30/40/50/60/70/80 (87) basin? P84
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: Non-land owner - 004 (PD/PU) Dept of Lands
OTHER CONDITIONS: - _____
STANDARD REMARKS: - * W86
W31 modified
BENEFICIAL USE DUE: - 10-1-1997
COMMENTS: - _____

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WR1
WR1A
BC

APPLICATION # 96-08934

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

APPLICANT: PHILLIPS BY: AB DATE: 8/8/96

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 ()

PROCESSING

Yes No PRIORITY DATE: 8/8/96

X (Include Moratorium Remark)

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

bc/shurs/dk
ADVERTISE IN: BODARK County.

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

ADDITIONAL INFORMATION

Yes No

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

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

(Yes) (No)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

RECEIVED
OCT 10 1996
Department of Water Resources

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- ____ Notice of pending void order issued. Final order response date: ____/____/____
____ Further information required from applicant
10/3 Affidavit of publication received
10/3 Application published correctly, If not, record action taken: _____

8/28/96 Publication dates and paper recorded on application | Sr. Agent initial AB

____ Protests received. Final protest date: 9/23/96

____ Measuring device required

____ Measuring port required

____ Special conditions: _____

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

Approval Recommended by AB Date: 10/4/96

OCT 10 1996

Department of Water Resources

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Dene Rossman 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 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 5 day of Sept, 1996
and ending on the 12 day of Sept, 1996
and that said notice was published in said newspaper.

On this 12 day of Sept in the year
of 1996, before me, a Notary Public, personally
appeared Dene Rossman,
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.

Cecelyn K. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/2000

RECEIVED

OCT 03 1996

WATER RIGHTS SECTION

NOTICE OF APPLICATION
FOR WATER RIGHT

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

96-08934
PHILLIPS, ROBERT S
7181 LOOP ROAD
COCOLALLA, ID 83813
Source: COCOLALLA LAKE
Tributary: COCOLALLA CREEK
Diversion Pt: NESW Sec 18 T 55N
R 02W in BONNER County.
Use: IRRIGATION (0.030 CFS)
FIRE PROTECTION (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 8/8/1996
In: BONNER County
T55N R02W S18 NESW
0.5 ACRES TOTAL

96-08935
CARLSON, JOHN E
ISLAND VIEW RESORT
300 ISLAND VIEW STREET
HOPE, ID 838369715
Source: GROUNDWATER
Diversion Pt: SWSW Sec 12 T 56N
R 01E in BONNER County.
Use: COMMERCIAL (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 8/15/1996
In: BONNER County
T56N R01E S12 SWSW SESW
10.0 ACRES TOTAL

96-08936
TAMARACK VILLAGE WATER &
SEWER DISTRICT
P O BOX 228
SAGLE, ID 83860
Source: GROUNDWATER
Diversion Pt: NWSW Sec 15 T 56N
R 02W in BONNER County.
Use: IRRIGATION (0.200 CFS)
DOMESTIC (0.200 CFS)
Total Diversion: (0.400 CFS)
Date Filed: 8/26/1996
In: BONNER County
T56N R02W S15 NWSW
10.0 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 SEPTEMBER
23, 1996.

KARL J. DREHER, Director
SNP#7885 Sep 5, 12, 1996

RECEIVED

JAN 10 1997

Vice President
STATE OF IDAHO)

County of Kootenai)

On this 22nd day of July, 1996, before me, the undersigned, a Notary in and for the State of Idaho, personally appeared DENNIS L. KEIM, known or identified to me to be the Vice President of FIRST SECURITY BANK OF IDAHO, N.A., the entity that executed the instrument or the person who executed the instrument on behalf of FIRST SECURITY BANK OF IDAHO, N.A., and acknowledged to me that such entity executed the same.

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

/s/ Heather Listoe
Notary Public in and for the
State of Idaho
Residing at Coeur d'Alene
Commission Expires: 9/23/00

EXHIBIT "A"

PARCEL 1: The South 605 feet of the East 720 feet of the North half of the Southeast quarter of the Southeast Quarter of Section 18, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho;

LESS County Road right of way.

PARCEL 2: A non-exclusive easement for ingress, egress and utilities over and across the East 720 feet of the North half of the Southeast quarter of the Southeast quarter of Section 18, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho;

EXCEPT the South 605 feet thereof.
SNP#7833 Aug 15, 22, 29, Sep 5, 1996

NOTICE OF TRUSTEE'S SALE

On the 20th day of November, 1996, at the hour of 2:00 o'clock P.M., of said day at the Bonner County Courthouse, 216 N. First Avenue, Sandpoint, Idaho, Jay T. Janecsek, a member of the Idaho State Bar, as successor trustee, will sell at public auction, to the highest bidder, for cash, in lawful money of the United States, all payable at the time of sale, the following described real property, situated in the County of Bonner, State of Idaho, and described as follows, to-wit:

SCHEDULE "A"

PARCEL 2
That portion of Government Lot 7, Section 4, township 58 North, Range 3 West, Boise Meridian, Bonner County, Idaho, lying East of the Burlington Northern Railroad right of way, and being more particularly described as follows:

BEGINNING at the South quarter corner of said Section 4;
thence North 89 degrees 59' 09" East, along the South line of said Section 4, 112.60 feet to the Easterly right of way line of said Burlington Northern Railroad, the True Point of Beginning;

thence North 35 degrees 20' 00" East, along said Easterly right of way line, 998.39 feet;

thence leaving said Easterly right of way line, South 73 degrees 26' 59" East, 518.13 feet to a point on the West bank of the Pend Oreille River; thence along said West bank the following four courses:

1) South 28 degrees 35' 46" West,

57 feet;
2) South 19 degrees 37' 00" West, 363.08 feet;

3) South 42 degrees 42' 15" West, 242.29 feet;

4) South 67 degrees 36' 30" West, 264.0 feet to a point on the South line of said Section 4;

thence along said South line South 89 degrees 59' 09" West, 518.61 feet to the True Point of Beginning;

TOGETHER WITH an easement for ingress and egress, running Southwesterly and adjacent to the Burlington Northern Railroad right of way from the Wrench Road, in Government Lot 6 (which runs Southeasterly from the U.S. Highway Alternate 10-A to Pend Oreille River) to the Southerly line of Government Lot 7.

The Successor Trustee has no knowledge of a more particular description of the above-referenced real property. For more information regarding the location of said real property, please contact C. Jon Nees at (509) 924-9800.

Said sale will be made without covenant or warranty regarding title, possession or encumbrances to satisfy the obligation secured by and pursuant to the power of sale conferred in the deed of trust executed by Vicki Donaldson, as Grantor, to J. Janecsek, a member of the Idaho State Bar, as Successor Trustee, for the benefit and security of CLS Mortgage, Inc., as Beneficiary, recorded September 12, 1995, as Instrument No. 476059, and assigned to G.F. Partners, October 23, 1995, as instrument No. 474661, mortgage records of Bonner County, Idaho.

THE ABOVE GRANTORS ARE NAMED TO COMPLY WITH SECTION 45-1506(4)(a) IDAHO CODE. NO REPRESENTATION IS MADE THAT THEY ARE, OR ARE NOT, PRESENTLY RESPONSIBLE FOR THIS OBLIGATION.

The default for which the foreclosure is to be made is the failure to pay when due, under the Deed of Trust and Note dated September 11, 1995, the monthly payments for principal and interest of \$2,924.85 per month for the months of February, March, April, May and June 1996, and all subsequent payments until the date of sale or reinstatement. All delinquent payments are now due, plus accumulated late charges, if any, unpaid and accruing real property taxes, assessments, trustee's fees, attorney's fees, costs and advances made to protect the security associated with the foreclosure. The principal balance owing as of this date on the obligation secured by said deed of Trust is \$217,500.00, plus interest in the amount of \$15,473.21, accruing at 16% per annum. The amount necessary to bring the loan current through May 28, 1996, would be principal and interest payments of \$11,699.40, along with all costs and fees associated with this foreclosure. The beneficiary elects to sell or cause the trust property to be sold to satisfy this obligation.

DATED this 11th day of July, 1996.

/s/ Jay T. Janecsek,
Successor Trustee
323 S. Pines Road
Spokane, Wa. 99206
(509) 924-9800

SNP#7836 Aug 15, 22, 29, Sep 5, 1996

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08934

PHILLIPS, ROBERT S
7181 LOOP ROAD
COCOLALLA, ID 83813

Source: COCOLALLA LAKE
Tributary: COCOLALLA CREEK
Diversion Pt: NESW Sec 18 T 55N

R 02W in BONNER County.

Use: IRRIGATION (0.030 CFS)

FIRE PROTECTION (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 8/8/1996

In: BONNER County

T55N R02W S18 NESW

0.5 ACRES TOTAL

96-08935

CARLSON, JOHN E
ISLAND VIEW RESORT
300 ISLAND VIEW STREET
HOPE, ID 838369715

Source: GROUNDWATER

Diversion Pt: SWSW Sec 12 T 56N

R 01E in BONNER County.

Use: COMMERCIAL (0.200 CFS)

Total Diversion: (0.200 CFS)

Date Filed: 8/15/1996

In: BONNER County

T56N R01E S12 SWSW SESW

96-08936

TAMARACK VILLAGE WATER &
SEWER DISTRICT

P O BOX 228

SAGLE, ID 83860

Source: GROUNDWATER

Diversion Pt: NWSW Sec 15 T 56N

R 02W in BONNER County.

Use: IRRIGATION (0.200 CFS)

DOMESTIC (0.200 CFS)

Total Diversion: (0.400 CFS)

Date Filed: 8/26/1996

In: BONNER County

T56N R02W S15 NWSW

10.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 23, 1996.

KARL J. DREHER, Director
SNP#7885 Sep 5, 12, 1996

NOTICE TO CREDITORS

Estate of Ida Louise Casey, deceased

Case No. SP 96-307

NOTICE IS HEREBY GIVEN that the undersigned has been appointed personal representative of the above-named decedent. All persons having claims against the decedent are required to present their claims within four months after the date of the first publication of this notice or said claims will be forever barred. Claims must either be presented to the undersigned at the address indicated, or filed with the Clerk of the Court.

/s/ Michael B. Casey
Personal Representative
Box 1687

Sandpoint, Idaho 83864

SNP#7858 Aug 22, 29, Sep 5, 1996

96-08934

PHILLIPS, ROBERT S
7181 LOOP ROAD
COCOLALLA, ID 83813

Source: COCOLALLA LAKE

Tributary: COCOLALLA CREEK

Diversion Pt: NESW Sec 18 T 55N R 02W in BONNER County.

Use: IRRIGATION	(	0.030 CFS)
FIRE PROTECTION	(	0.200 CFS)
Total Diversion:	(	0.200 CFS)

Date Filed: 8/ 8/1996

In: BONNER County
T55N R02W S18 NESW

0.5 ACRES TOTAL

100-08934
100-08934

August 28, 1996

Robert S. Phillips
7181 Loop Road
Cocolalla ID 83813

Re: Water Appropriation Application No. 96-08934

Dear Mr. Phillips:

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

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

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

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

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

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$35.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. It is possible to upgrade a Domestic Drilling Permit by submitting an additional \$165.00. These Permits can be obtained by your driller, also.

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