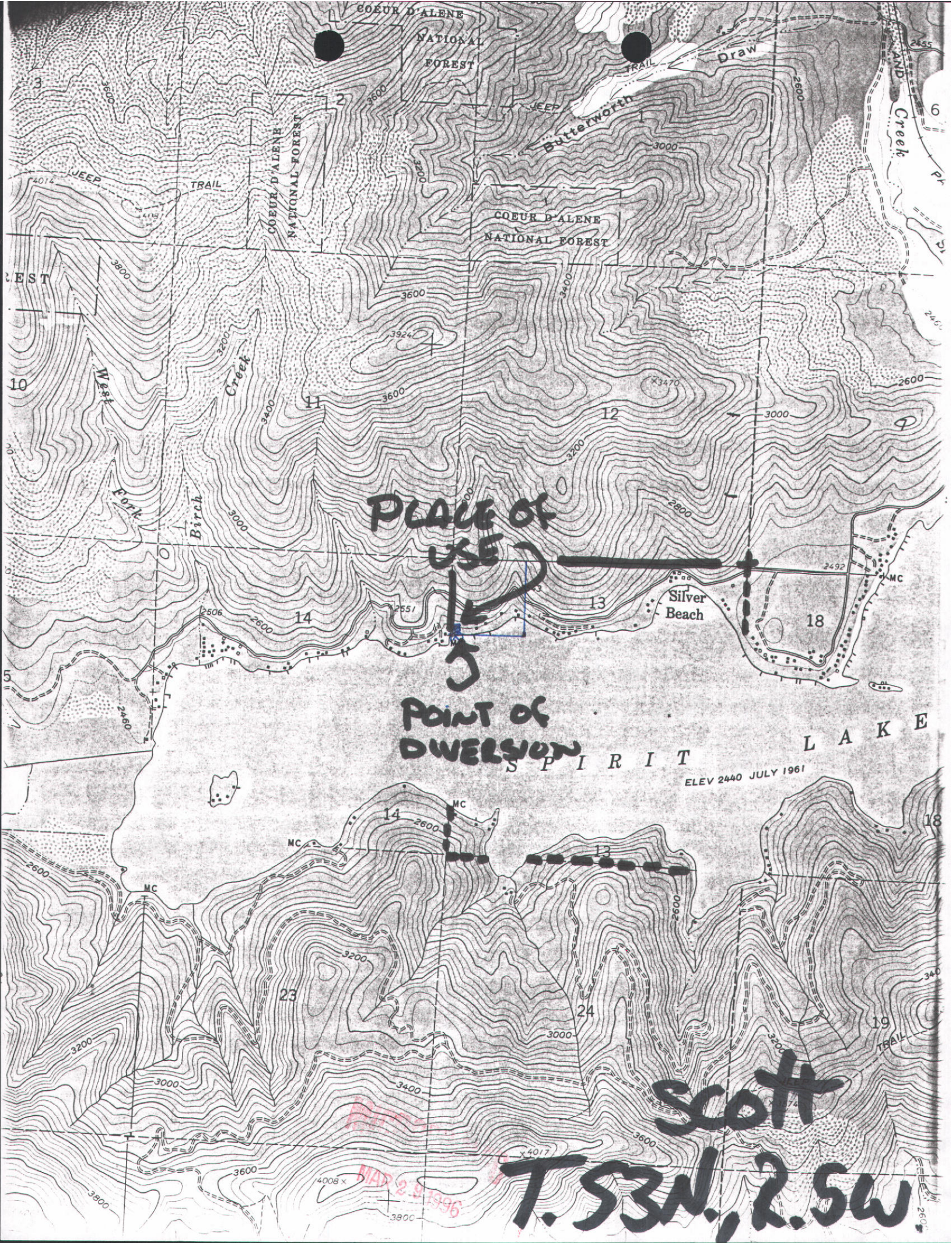




PLACE OF
USE

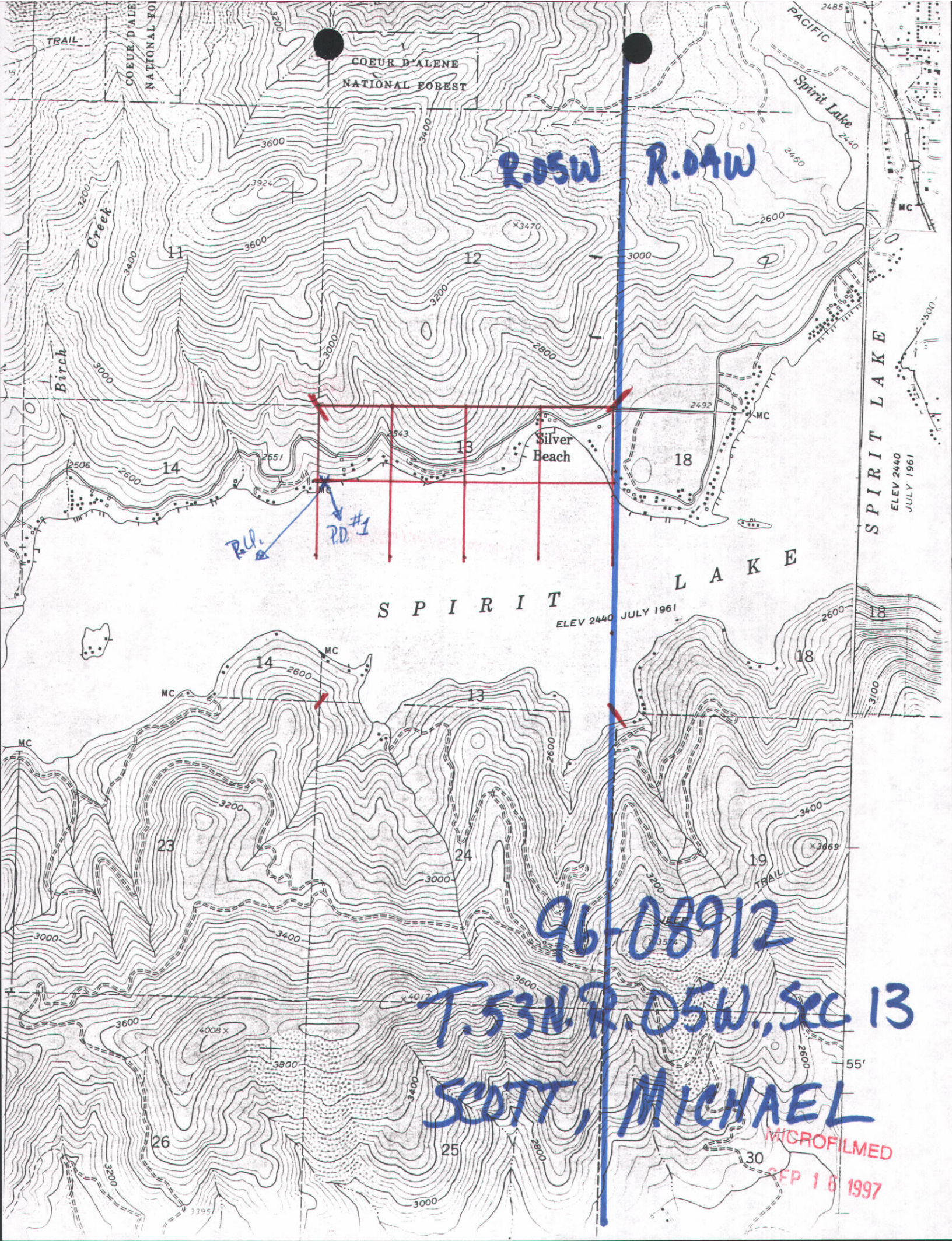
POINT OF
DIVERSION

SPIRIT LAKE

ELEV 2440 JULY 1961

SCOTT
T. 53N., 2.5W.

MAD 2.5.1996



COEUR D'ALENE
NATIONAL FOREST

R.05W

R.04W

Silver
Beach

S P I R I T L A K E

ELEV 2440 JULY 1961

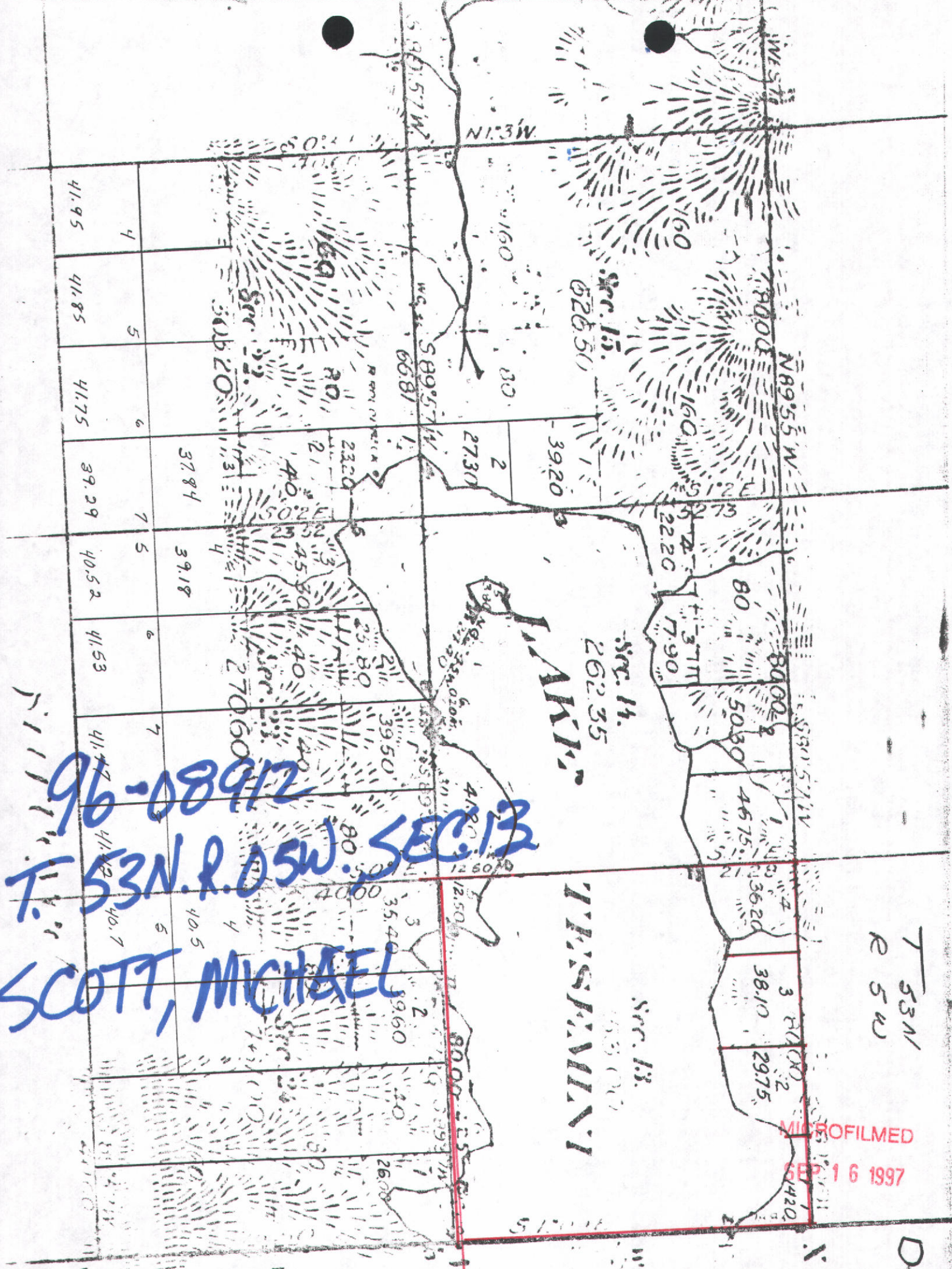
96-08912

T.53N. R.05W., SEC 13

SCOTT, MICHAEL

MICROFILMED
SEP 16 1997

96-08912
 T. 53N. R. 05W. SEC. 13
 SCOTT, MICHAEL



T 53N
 R 5W

MICROFILMED
 SEP 16 1997

SEP 16 1997

21004-70



STATE OF IDAHO
DEPT OF WATER
REPORT SUB
TO G R A

1/4" IRON PIPE CASE
Tuckin pipe with valves



PLEASE!
DO NOT THUMP OR
BUMP THESE
PIPES IN THE
SLIGHTEST

NOTES

16215

PLEASE THUMP IN HOUSE
SINK DOMESTIC WATER

SEP 16 1997



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08912

Priority: February 15, 1996

Maximum Diversion Rate:
Maximum Diversion Volume:

0.04 CFS
1.2 AF

This is to certify, that MICHAEL SCOTT
HEIDI SCOTT

9550 W SPIRIT LAKE RD
SPIRIT LAKE ID 83869

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 16, 1996; and
has submitted Proof of Beneficial Use on March 31, 1997. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

SPIRIT LAKE tributary to SPIRIT 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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NWNW), Sec. 13, Township 53N, Range 05W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC
53N 05W 13 Lot 4(NWNW)

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 must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

MICROFILMED

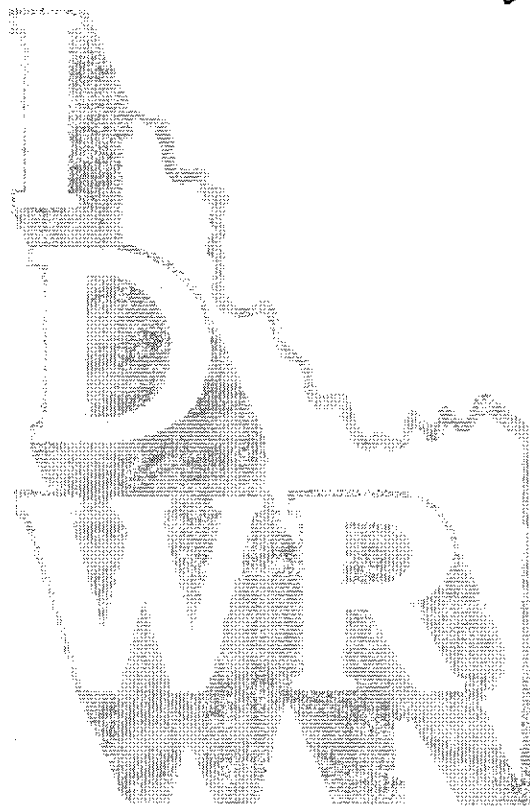
SEP 16 1997

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 96-08912

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 27TH
day of JUNE, 1997.


Acting for KARL J. DREHER, Director



MICROFILMED

SEP 16 1997

IN THE MATTER OF PERMIT NO. 96-08912)
)
IN THE NAME OF MICHAEL & HEIDI SCOTT) **ORDER OF**
) **REINSTATEMENT**
)

REC'D-2112
MAY 24 1957

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAR 31 1997

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. 96-08912 Telephone No. 208-623-2157
2. Name(s) of Permit Holder(s): Michael Scott
3. Mailing Address: 9550 W. Spirit Lake Rd Spirit Lake Id 83869
4. Source of Water: Spirit Lake If **GROUNDWATER** (well), Date Drilled: mo. / yr.
- a. Well Driller: Drilling Permit Number: - - -
- b. **OPTIONAL:**
Pump Horsepower: 3/4 Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): one (1) Stockwater (No. and type of stock):
Irrigation (No. of acres): ~~0.04~~ Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 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 <u> </u> or No <u>X</u> |
| Has the measuring device been installed? | Yes <u> </u> or No <u>X</u> |
| Flow Measurement Port: Is a flow measurement port required? | Yes <u> </u> or No <u>X</u> |
| Has the measurement port been installed? | Yes <u> </u> or No <u>X</u> |
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Michael Scott Telephone Number: 623-2157
Address: 9550 W. Spirit Lake Rd Spirit Lake Id. 83869
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: Michael Scott (owner) Date: 3-4-97
(include your title, if on behalf of company or organization)

MICROFILMED
MAY 28 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 96-08912

Proposed Priority: January 16, 1996 Maximum Diversion Rate: 0.04 CFS

This is to certify, that MICHAEL SCOTT

HEIDI SCOTT
12410 WAGNER RD
MONROE WA 98272

has applied for a permit to appropriate water from:
SPIRIT LAKE tributary of SPIRIT 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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 13, Township 53N, Range 05W
KOOTENAI County

PLACE OF USE: DOMESTIC

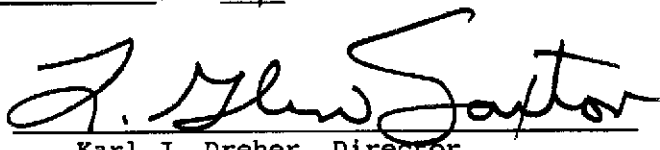
TWN RGE SEC
53N 05W 13 Lot 4(NWNW)

CONDITIONS OF APPROVAL AND REMARKS

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

11th day of March, 1996.


for Karl J. Dreher, Director

RECEIVED

MAR 29 1996

Form 202
RECEIVED
MAR 01 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8912

To appropriate the public waters of the State of Idaho
Department of Water Resources

1. Name of applicant Michael + Heidi Scott Phone (360)-794-2944
Post office address 12410 Wagner Rd Monroe WA 98272
2. Source of water supply Spirit Lake, Idaho which is a tributary of SPIRIT CREEK
3. Location of point of diversion is _____ 1/4 of NW 1/4 of NW 1/4, Govt. Lot 4
Sec. 13 Township 53 N Range 5 W. 2 B.M. Kootenai County; additional
points of diversion if any: _____
4. Water will be used for the following purposes: Resident / domestic
Amount 0.04 for DOMESTIC 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)
5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. PUMP IN LAKE
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - 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) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

12. Remarks:

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
b. Who owns the land to be irrigated or place of use? DEPT OF LANDS (INDIA STATE)
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. ENDORSEMENT PERMIT

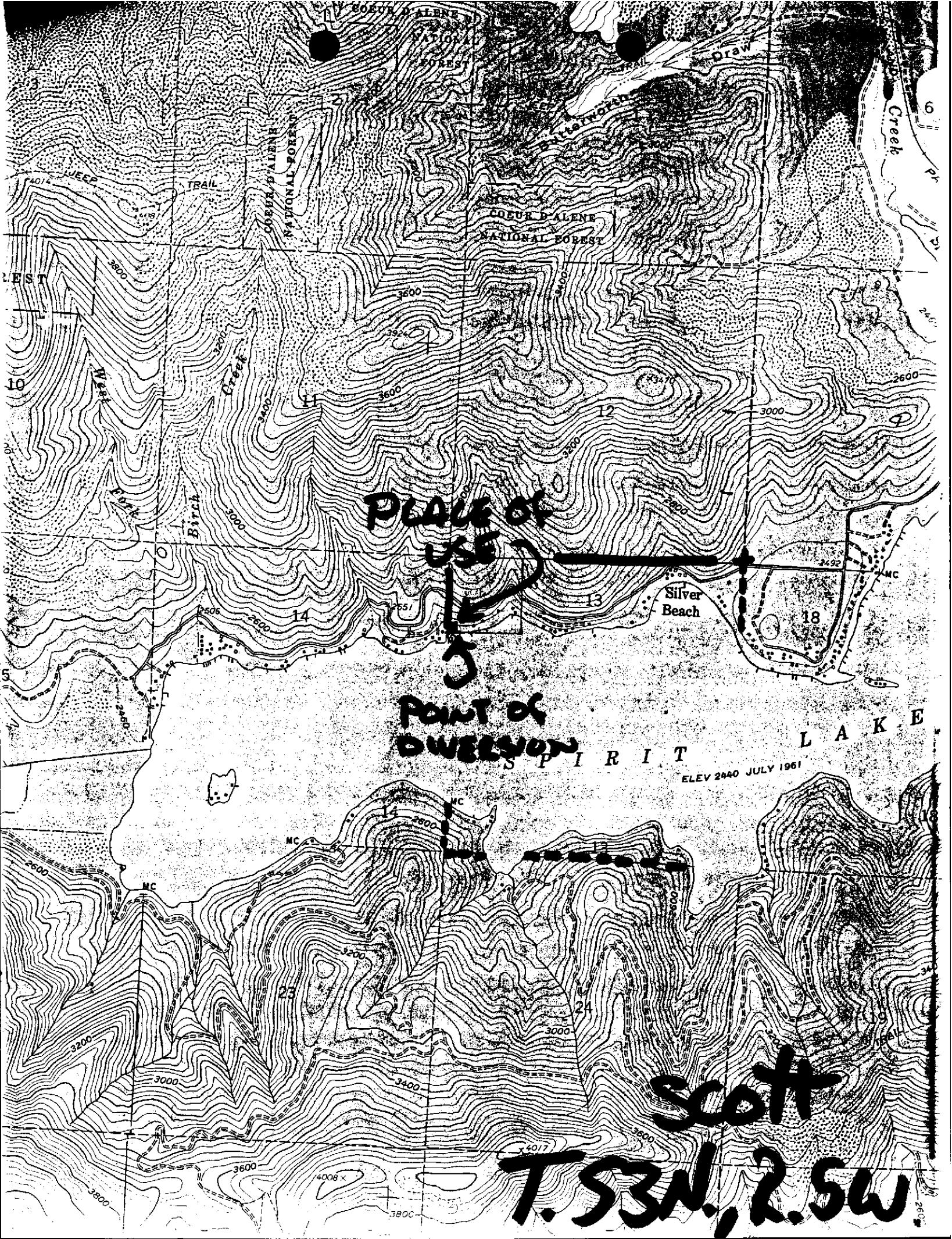
Total number of acres to be irrigated

[illegible]

ponding place of use below. See instructions for standard symbols.

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

- 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) one
- e. Other; describe fully. _____



PLACE OF
USE

POINT OF
DIVERSION

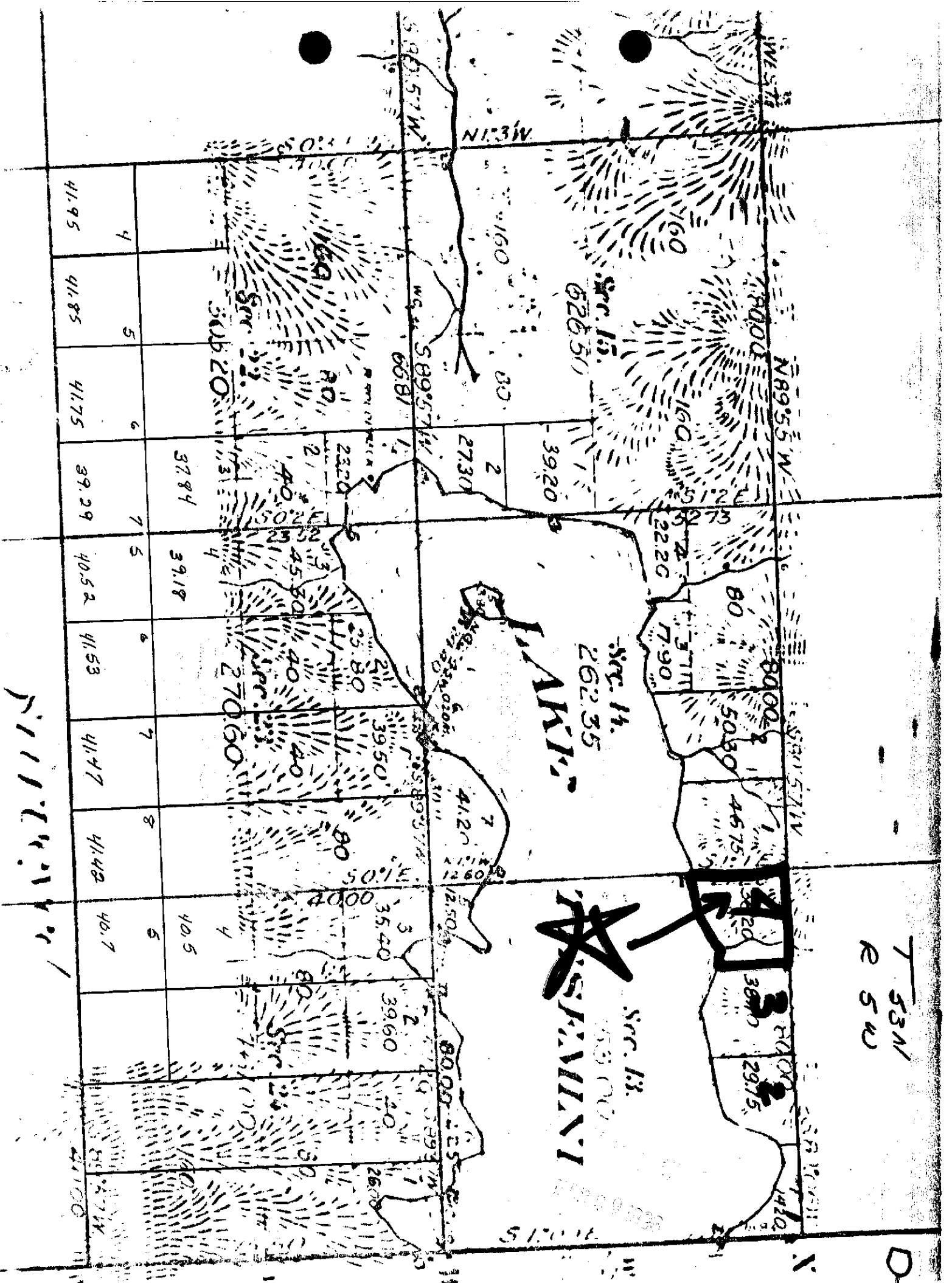
SCOTT
T. 53N, 2.5W

SPIRIT LAKE
ELEV 2440 JULY 1961

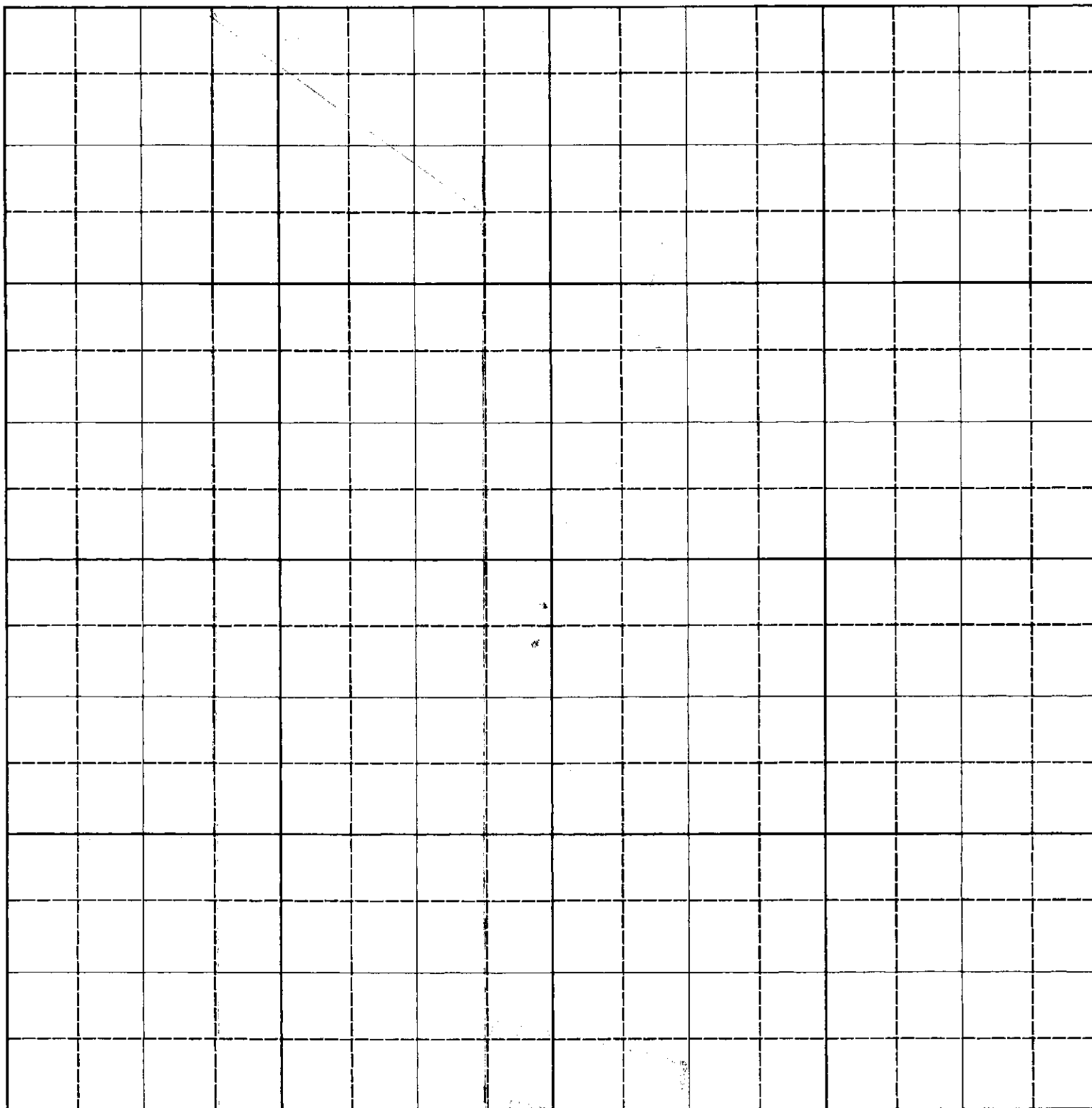
COEUR D'ALENE
NATIONAL FOREST

COEUR D'ALENE
NATIONAL FOREST

Q



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



Scale: 2 inches equal 1 mile.

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

X Michael Scott
(Applicant)

1996 2 9 1996

1996 2 9 1996

e. Other:

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	_____	Date	1/16/96	Time	_____	Preliminary check by	_____
Fee \$	50.00	Received by	_____	#	AD-9813	Date	1/16/96
Publication prepared by	_____	Date	1/31/96	Published in	Idaho News 2/1+8/96		
Publication approved	_____	Date	2/9/96				



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

June 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MICHAEL SCOTT
HEIDI SCOTT
9550 W SPIRIT LAKE RD
SPIRIT LAKE ID 83869

RE: WATER RIGHT NO. 96-08912

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.

JUN 16 1997

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.

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SEP 16 1997

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.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of June, 1997, 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. 96-08912

MICHAEL SCOTT
HEIDI SCOTT
9550 W SPIRIT LAKE RD
SPIRIT LAKE ID 83869


Kari Lynn Townsend
Secretary

MICROFILMED

SEP 16 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-08912

DATE 6/26/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? — yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate .04 cfs

Fee limit .20 cfs \$50⁰⁰

Measured — cfs

Theoretical .03 cfs @ 40 psi = .04

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/

NATURE OF USES —

Use ✓

Dom.

Volume Calculation

1.2 af

— af

— af

— af

SUBTOTAL 1.2 af

Flow rate .04 cfs X 365 days X 1.983% = 29.0 af

Total volume recommended 1.2 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/1 home

CONDITIONS

— Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

1st Amend Letter N/A

Adjustment Memo —

2nd Amend Letter —

RECEIVED

JUN 12 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

96-08912

Department of Water Resources
A. GENERAL INFORMATION

Permit No.

1. Owner: MICHAEL & HEIDI SCOTT Phone No. (208) 623-2157

Current Address: 9550 W. SPIRIT LAKE RD. SPIRIT LAKE, ID. 83869

2. Accompanied by: HEIDI SCOTT EXAM DATE: 5-12-97

Address: SAME AS ABOVE Phone No. SAME AS ABOVE

Relationship to Permit Holder: Permit Holder

3. Source: SPIRIT LAKE tributary to SPIRIT CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

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
			NW	NW	13	53N	05W	Kootenai	USGS 7.5' QUAD, Site Visit

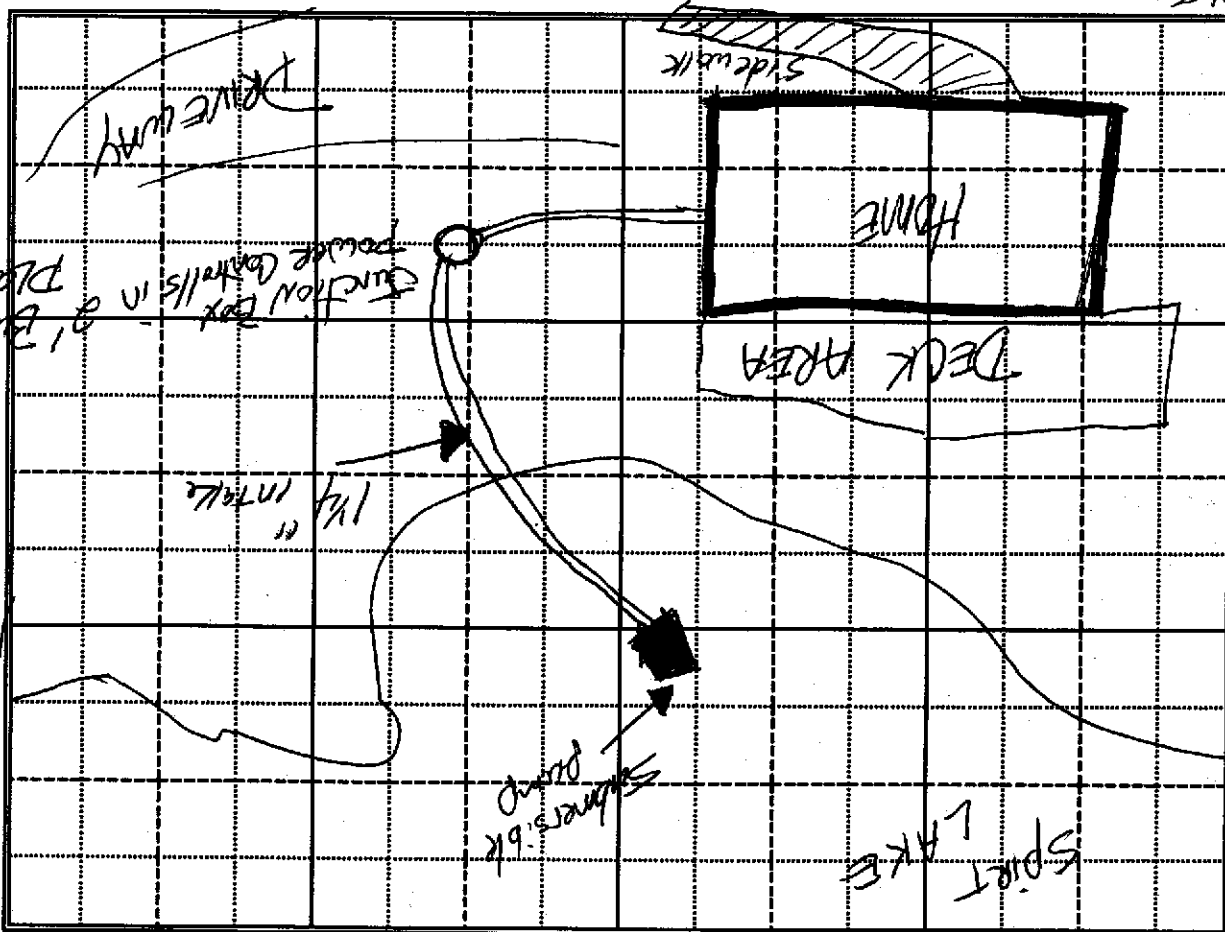
2. Place(s) of Use:

Indicate Method of Determination USGS 7.5' QUAD

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	05W	13					D											Domestic	

SEP 16 1997

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



Scale: 1" = 115'

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

☐ Aerial Photo Attached of (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
RD #1		1.0	Submersible	Gould	1" (10.1 inch)

*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: * See theoretical calculations.

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SEP 15 1997

JP-00015

E. NARRATIVE/REMARKS/COMMENTS

System consist of 1.0 hp. Submersible Pump. Pump is located approx. 30 ft from shoreline. The intake line is 1 1/4" in diameter and runs to a junction box where the power and the shut-off valve is located. System serves the 1 home for domestic water.

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

MICROFILMED
SEP 16 1997

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

* See Theoretical Calculations

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

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

2. Volume Calculations for Other Uses:

I have year Round Single Domestic USE.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

From

To 12-31

Period of Use

Rate of Diversion

Q (cfs)

.04

Annual Volume

V (ata)

1.2

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

[Signature]

Date

5.12.97

Reviewer

Date

SEAL

MICROFILMED

SEP 16

99,

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08912
DATE: 14-MAY-97
COMPLETE BY: HERM

HORSEPOWER = 1.0

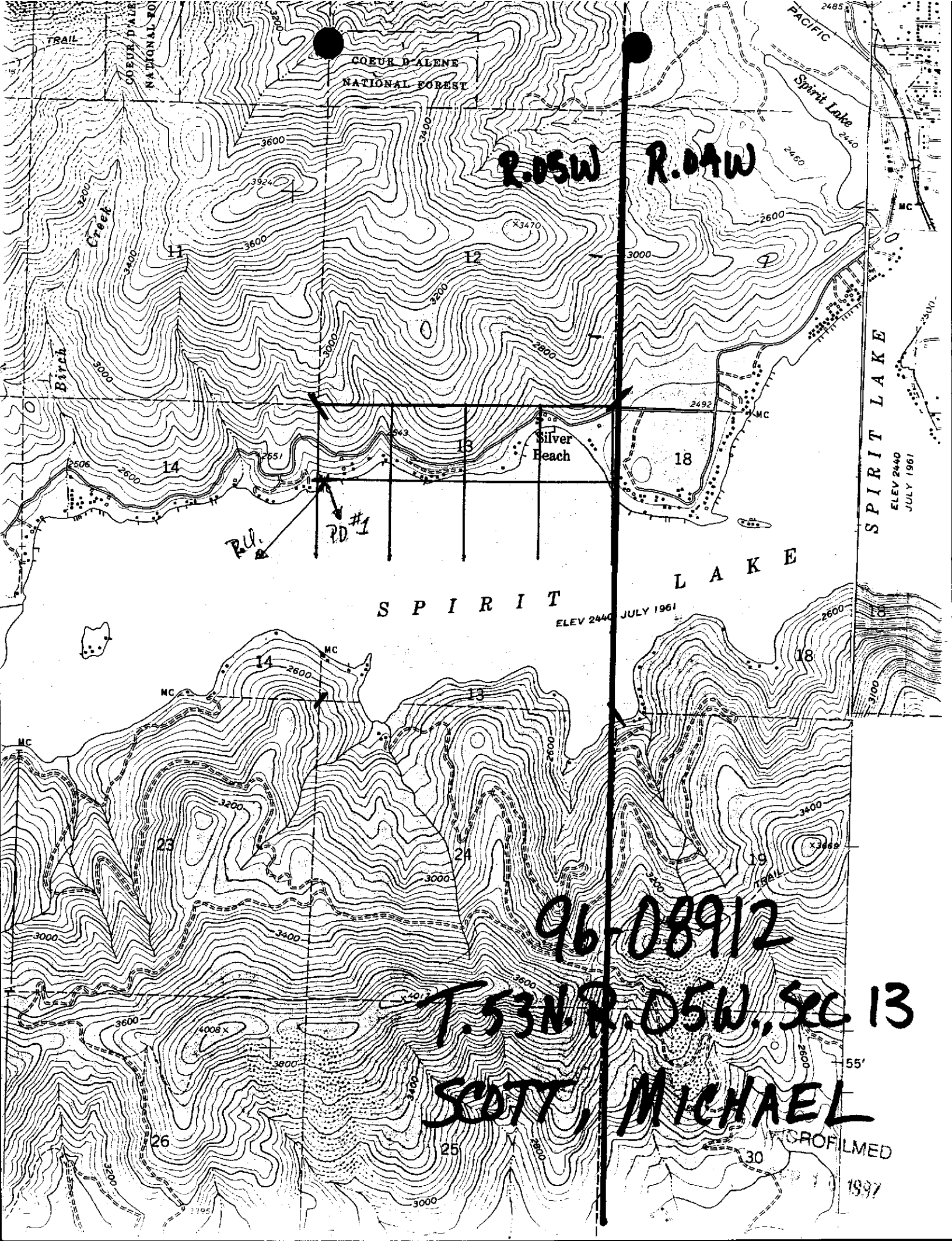
PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 60 FEET

SYSTEM PRESSURE = 50 PSI

QUANTITY = 0.03 CFS

MICROFILMED
SEP 16 1997



COEUR D'ALENE
NATIONAL FOREST

R.05W

R.04W

Spirit Lake

Silver
Beach

S P I R I T L A K E

ELEV 2440 JULY 1961

96-08912

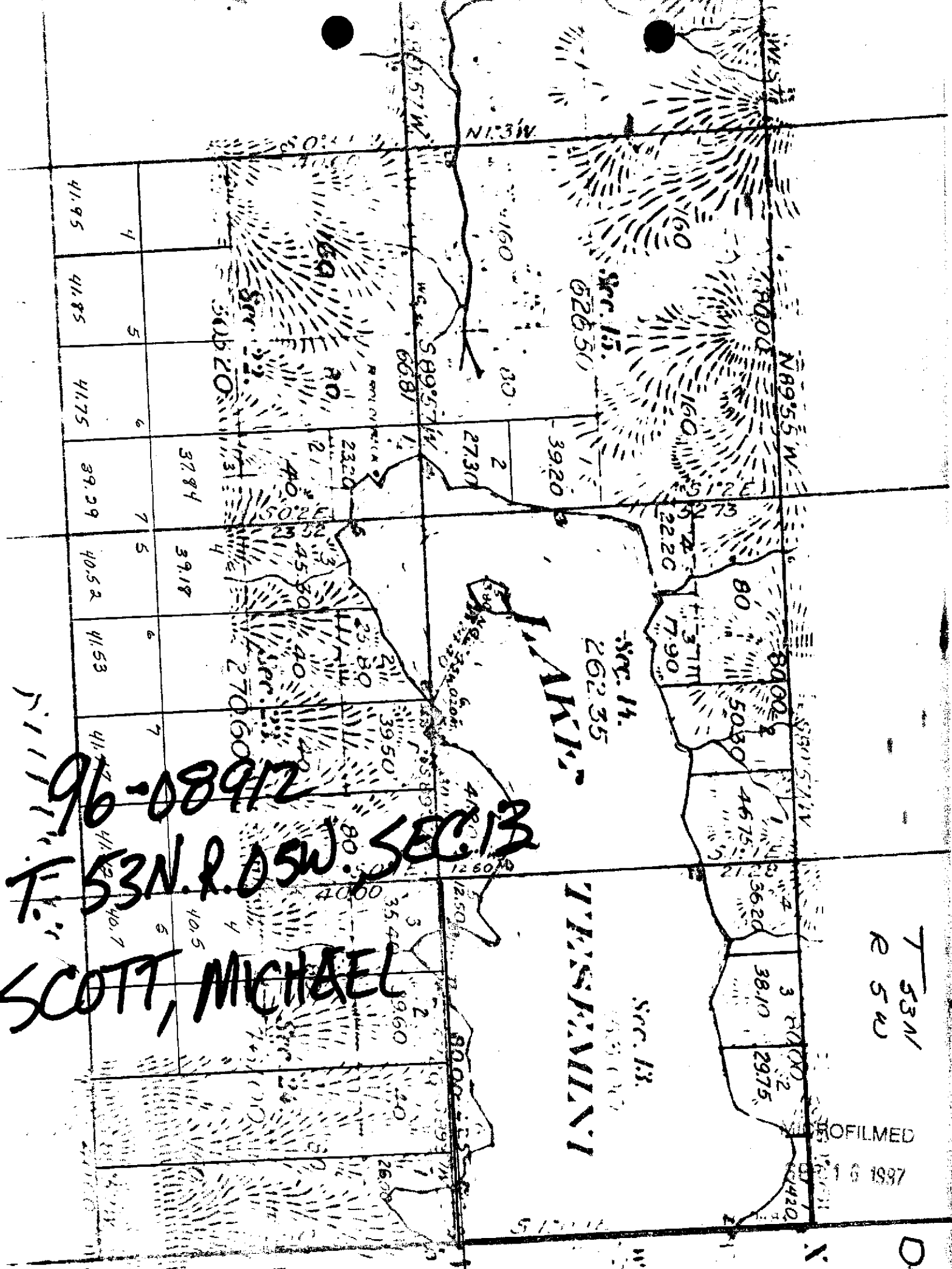
T.53N R.05W, SEC 13

SCOTT, MICHAEL

PROFILMED

1997

96-08912
 T. 53N. R. 05W. SEC 13
 SCOTT, MICHAEL



T 53N
 R 5W

COPIED
 16 1997

2581 9 1 1987

91-00017

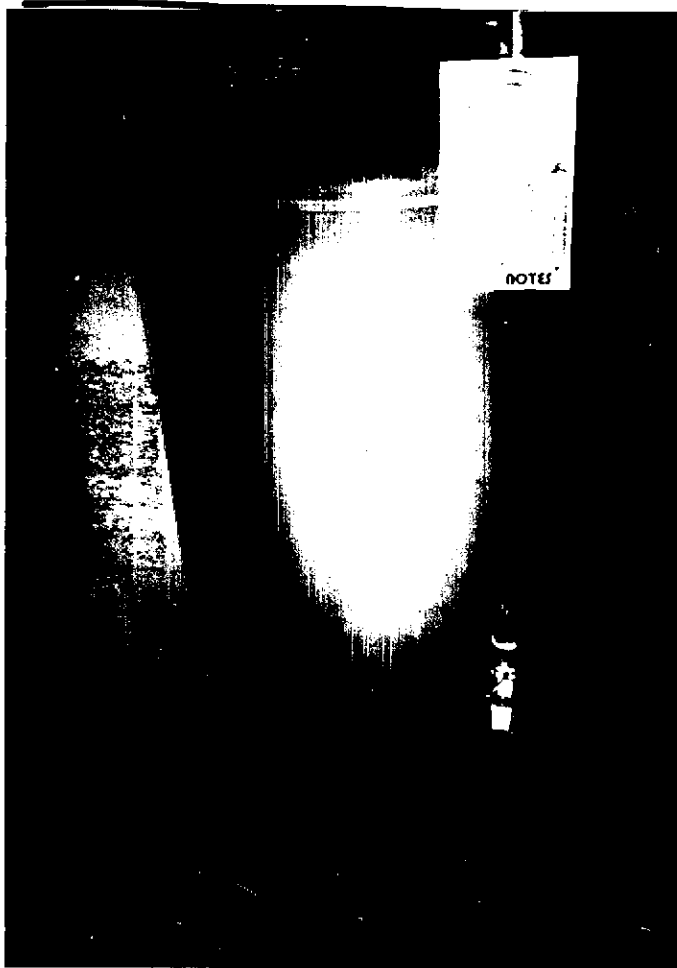


STATE OF ILL
T OF WATER
REPORT SUB

10.0.03

1/4 IN TAKE LINE

Traction pipe with valves



NOTES

Pressure Tank in House

Single Domestic Water



10.0.03

10.0.03

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-8912 Reviewed by [Signature] Date 4-8-97

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received 3-31-97
Date proof due 3-1-96 - _____
No. of days late 30 = 30
Priority Date 16 ¹⁻⁴⁻⁹⁶ + 16
New Priority Date 2-15-96 46

7 2/15/96

DEFICIENCIES OR ACTION ITEMS

Reinstatement & advance priority to Feb. 15, 1996.
Proof acceptable.

DATA ENTRY

New Address 9550 W. Spirit Lake Rd. Proof Made 3-31-97
Spirit Lake, Id. 83869



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
April 14, 1997

MICHAEL & HEIDI SCOTT
9550 W SPIRIT LAKE RD
SPIRIT LAKE ID 83869

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08912

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof was submitted after the proof due date of March 1, 1997. Please note that the priority date has been advanced to February 15, 1996.

Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

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 the field examination, contact the NORTHERN Regional Office in Coeur d'Alene at (208)769-1450.

Sincerely,


JULIE L. YARBROUGH

Senior Secretary

Enclosure

C: IDWR - Region

RECEIVED
MAY 28 1997

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

March 14, 1997

MICHAEL SCOTT
HEIDI SCOTT
12410 WAGNER RD
MONROE WA 98272

LAPSE NOTICE

RE: PERMIT NO. 96-08912

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated December 31, 1996. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

MICROFILMED

MAR 14 1997

I hereby certify that on 3-14-97
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



December 31, 1996

MICHAEL SCOTT
HEIDI SCOTT
12410 WAGNER RD
MONROE WA 98272

PROOF DUE NOTICE

RE: PERMIT NO. 96-08912

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1997.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

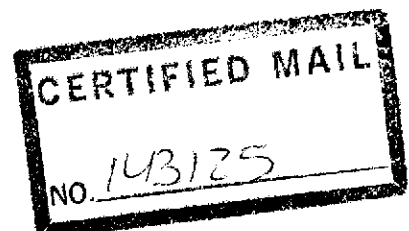
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECORDED

MAY 24 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

March 11, 1996

MICHAEL SCOTT
HEIDI SCOTT
12410 WAGNER RD
MONROE WA 98272

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08912

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/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.

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

SK:rl

Enclosures

MAR 29 1996

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

No.: 96-8912 Name: Scott Date: 3/5/96 Ad OK? ✓
 Correct Fee? ✓ Receipt #: N 9813 Priority: 1/16/96 ✓ 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 - 01M 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 WD), 11E (not 42-111 use), NA
 Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA
USE:
 Domestic (surface) - 021(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)
 + 5 a - 03A (0.02 cfs/A)
 Mining - 054 (req) & 06A/010/09E-P10
 Power - 08A-17K-025-027-01M-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), NA
LOCATION:
 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 - B <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/permit
OTHER CONDITIONS:
STANDARD REMARKS: ① woi/1
BENEFICIAL USE DUE: 3-1-1997
COMMENTS:

No. a
4/87-06/92n

I. O DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SHEET

APPLICATION # 96-8912

WRI
WRA
PC

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

APPLICANT: Scott BY: AB DATE: 1/16/96

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, acknowlegment)

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 1/16/96

X (Include Moratorium Remark)

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

ADVERTISE IN: KOOTENAI County.

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

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

(Yes)(No)

Checked by: _____ Date: 1/16/96

Remarks: _____

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

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

(Yes)(No)

Notice of pending void order issued. Final order response date: 1/16/96

Further information required from applicant

2/9/96 Affidavit of publication received

2/9 Application published correctly, If not, record action taken: _____

1/24/96 Publication dates and paper recorded on application | Sr. Agent initial AB

Y Protests received. Final protest date: 2/20/96

Y Measuring device required

Y Measuring port required

Y Special conditions: _____

Y Special conditions of approval supplied and attached: _____

Approval Recommended by: AB

MAR 01 1996

Date: 2/20/96

Department of Water Resources

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Ken Alexander being first duly sworn upon oath deposes and says:

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

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

3. The Legal Notice of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 1st day of February, 1996, and ending on the 8th day of February, 1996, and such publication was made as often during said period as said daily newspaper was regularly issued.

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

Ken Alexander

Subscribed and sworn to before me this 8th day of February, 1996.

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

ROBERTA MANLEY
My commission expires 2-5-99

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08937
KULINK, BEVERLY S
1413 E 15TH
SPOKANE, WA 99203
Source: HAYDEN LAKE
Tributary: SINKS
Diversion Pt: LOT 10 (NENE) Sec 18 T
51N R 03W in KOOTENAI County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 1/12/1996
In: KOOTENAI County
T51N R03W S18 Lot 10 (NENE)
96-08912

SCOTT, MICHAEL
SCOTT, HEIDI
12410 WAGNER ROAD
MONROE, WA 98272
Source: SPIRIT LAKE
Tributary: SPIRIT CREEK
Diversion Pt: LOT 4 (NWNW) Sec 13 T
53N R 05W in KOOTENAI County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Date Filed: 1/16/1996
In: KOOTENAI County
T53N R05W S13 Lot 4 (NWNW)
96-08913

HACKNEY WATER & SEWER DISTRICT
P O BOX 356
ATHOL, ID 838010356
Source: GROUNDWATER
Diversion Pt: NWNW Sec 11 T 53N R 03W
in KOOTENAI County.
Use: IRRIGATION (0.070 CFS)
DOMESTIC (0.070 CFS)
FIRE PROTECTION (0.070 CFS)
Total Diversion: (0.070 CFS)
Date Filed: 1/23/1996
In: KOOTENAI County
T53N R03W S11 NENW SWNW
SENW

7.5 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 FEBRUARY 20, 1996.

KARL J. DREHER, Director

Legal 124
Feb. 1, 8, 1996

FEB 09 1996
NORTHWEST REGION
IDWR

MAR 9 1996

96-08912

SCOTT, MICHAEL
SCOTT, HEIDI
12410 WAGNER ROAD
MONROE, WA 98272

Source: SPIRIT LAKE

Tributary: SPIRIT CREEK

Diversion Pt: LOT 4 (NWNW) Sec 13 T 53N R 05W in KOOTENAI County.

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

Date Filed: 1/16/1996

In: KOOTENAI County
T53N R05W S13 Lot 4(NWNW)

MAR 2 1996

January 24, 1996

Michael & Heidi Scott
12410 Wagner Road
Montro WA 98272

Re: Water Appropriation Application No. 96-08912

Dear Mr. and Mrs. Scott:

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 separate well drilling permit is required for all wells constructed after July 1, 1987.

IF, FROM THAT WELL, YOU WILL BE DIVERTING WATER FOR MORE THAN ONE HOME AND AT A RATE OF MORE THAN 0.04 CFS AND MORE THAN 2500 GALLONS PER DAY, YOU WILL NEED TO OBTAIN A PERMIT FOR OTHER THAN DOMESTIC USAGE. THE TOTAL FEE FOR SUCH A PERMIT IS \$200.00. IF YOU HAVE ALREADY OBTAINED A DOMESTIC PERMIT, YOU WILL NEED TO UPGRADE YOUR PERMIT AND THE FEE FOR UPGRADING IS \$165.00.

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

7-16 8 1996