

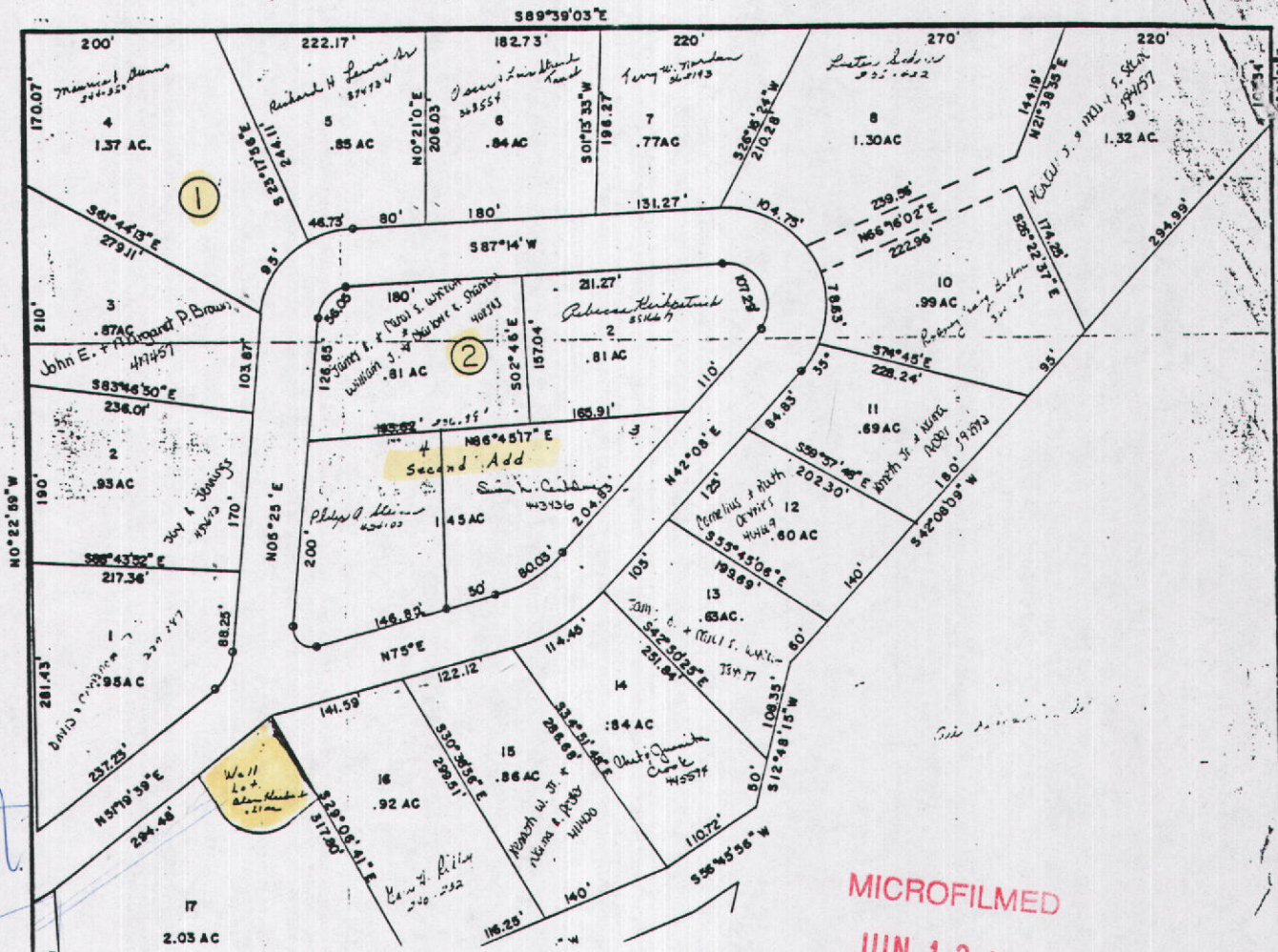
Plat map showing land parcels with bearings and distances. The map includes the following details:

- Lot 1:** 1.37 AC, owned by Thomas H. Brown. Bearings: $56^{\circ}44'13''E$, $270.11'$. Distance: $170.07'$.
- Lot 2:** .93 AC, owned by John E. Brown. Bearings: $58^{\circ}46'30''E$, $236.01'$. Distance: $190'$.
- Lot 3:** .87 AC, owned by John E. Brown. Bearings: $58^{\circ}46'30''E$, $236.01'$. Distance: $190'$.
- Lot 4:** .81 AC, owned by William J. Brown. Bearings: $50^{\circ}2'46''E$, $157.04'$. Distance: $180'$.
- Lot 5:** .85 AC, owned by Richard H. Brown. Bearings: $50^{\circ}13'33''W$, $196.27'$. Distance: $222.17'$.
- Lot 6:** .84 AC, owned by Isaac L. Brown. Bearings: $50^{\circ}13'33''W$, $196.27'$. Distance: $182.73'$.
- Lot 7:** .77 AC, owned by Perry W. Brown. Bearings: $50^{\circ}13'33''W$, $196.27'$. Distance: $220'$.
- Lot 8:** 1.30 AC, owned by Luther L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 9:** 1.32 AC, owned by Henry L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $220'$.
- Lot 10:** .99 AC, owned by Robert L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 11:** .69 AC, owned by Robert L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 12:** .60 AC, owned by Cornelius L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 13:** .63 AC, owned by Cornelius L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 14:** .84 AC, owned by Cornelius L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 15:** .86 AC, owned by Cornelius L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 16:** .92 AC, owned by Cornelius L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.
- Lot 17:** 2.03 AC, owned by Cornelius L. Brown. Bearings: $52^{\circ}48'24''W$, $210.28'$. Distance: $270'$.

RECEIVED

SEP 18 1995

SE1/4 SE1/4, SECTION 3, TOWNSHIP 56N, RANGE 2 W



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JUN 12 1998

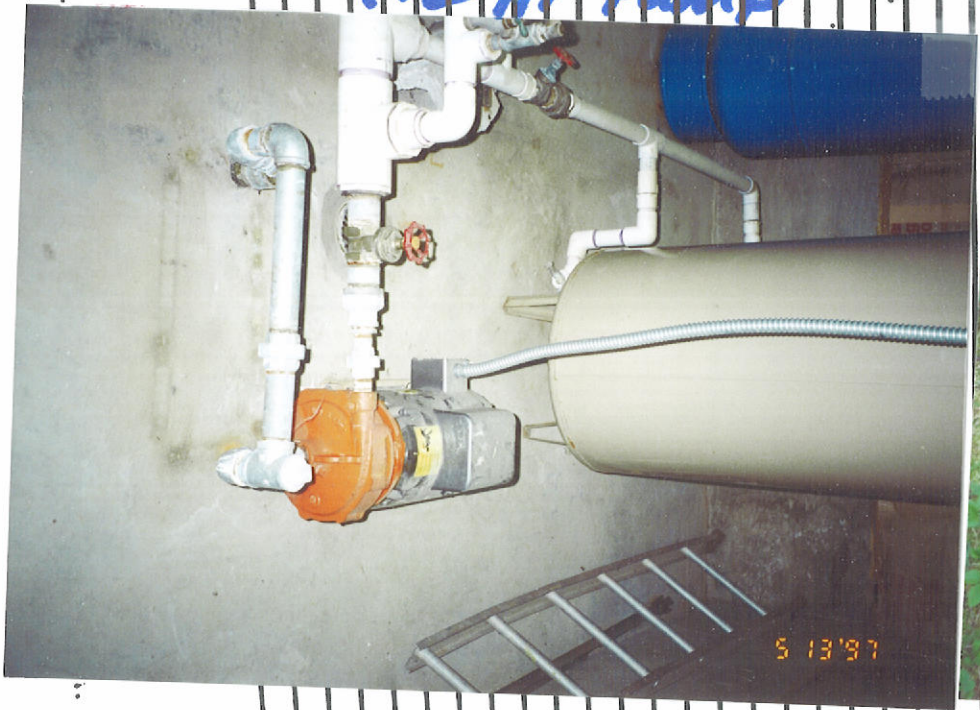
96-08860

T. 56N., R. 02W., Sec. 3
SUNRISE TERRACE



2-Reservoirs
 7 1/2 HP Pump

Well Head ~~Well House~~



STATE OF IDAHO
 DEPT. OF WATER RESOURCES
 REPORT SUPERVISOR

PERMIT # 91-05840
 76-05840



JUN 12 1998
MICROFILMED

PLACE OF USE

STATE OF IDAHO
DEPT. OF WATER
REPORT SUPPLY
O T O G R A



PERMIT #

41-088460

E
IAL POOL ELEVATION 2062

T.57N

T. 56 W.

~~Murphy~~
~~Bay~~

State Fish Hatchery

Murph
Slough

Spring

P.V.

~~WCS #1~~

A map of Sagley Slough, showing a winding waterway with several small islands or peninsulas. The name "Sagley Slough" is written vertically along the right side of the waterway.

Spring



2160 2090 2100 2143 96-08860

T. 56N., R. D2W., Sec. 3

MICROFILMED
JUN 12 1998

Sagle

Algoma

Früh

PACIFIC

SUNRISE TERRACE
HOMEOWNERS ASSOC.

96-08860

T. 56N., R. 02W.,

Sec. 3

MICROFILMED

JUN 12 1998

R2W
H

R2W H

EAST.

185 68.02 40.12

LINKED.

12.80
M.C.O.N.
0094

0 W N 89°26' W

60.22

GRADE

Sec. 10

640

SEP 18 1995

60.08

N 89°43' W

0 W

0 W

0 W

0 W

0 W

0 W

0 W

12 39.82 4 3 2 1 4 3 2 1
2 46.11 37.72 37.73 37.64 37.34 37.15 37.12 38.50
3 28.99 50 80 80 80 80 80 80
Sec. 3 525.04 Sec. 2 630.36 Sec. 1 634.80

NP R R

RAILROAD

J NEFF

N 89°40' W

77.47

N 89°26' W

60.22

GRADE

Sec. 10

640

60.08

N 89°43' W

0 W

0 W

0 W

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State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 96-08860

Priority: March 29, 1995

Maximum Diversion Rate:
Maximum Diversion Volume:

0.06 CFS
25.2 AF

This is to certify, that SUNRISE TERRACE HOMEOWNERS ASSOC INC
C/O DAVID TATE
103 SUNRISE CIRCLE
SAGLE ID 83860

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 29, 1995; and has submitted Proof of Beneficial Use on July 1, 1996. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from a **GROUNDWATER** 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	0.06 CFS	25.2 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 3, Township 56N, Range 02W
BONNER County

PLACE OF USE: DOMESTIC
TWN RGE SEC
56N 02W 3 SWSE SESE

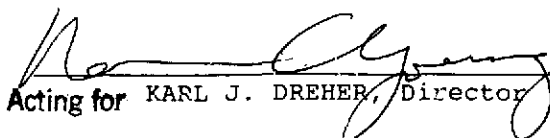
CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Place of use is located within Lots 1-16 and 18, Blk. 1 and Lots 1-4, Blk. 2, Sunrise Terrace Subdivision.
6. Domestic use is for 21 homes.

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 28TH day of MAY, 1998.

MICROFILMED

JUN 12 1998


Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

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MAY 22 1998

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 96-08860

Date of Priority: March 29, 1995

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 12.6 AF

Comes now
C/O DAVID TATE
103 SUNRISE CIRCLE
SAGLE ID 83860

SUNRISE TERRACE HOMEOWNERS ASSOC INC

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 96-08860, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.06 CFS	12.6 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 3, Township 56N, Range 02W
BONNER County

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
56N	02W	3

SWSE

SESE

Permit holder asserts that no one will be injured by such change and that such change
will be made at permit holder's own risk.

Signed at Sandpoint, this 20 day of May, 1998.

MICROFILMED

JUN 12 1998

DAVID TATE
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 96-08860

FOR DEPARTMENT USE ONLY

Preliminary check by guk Fee = 30.00 Received by Blc # 60439 Date 5-26-98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 96-08860 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Place of use is located within Lots 1-16 and 18, Blk. 1 and Lots 1-4, Blk. 2, Sunrise Terrace Subdivision.
6. Domestic use is for 21 homes, ~~and does not include lawn, garden, landscape, or other types of irrigation.~~

AS per TELECON w/
SHELEY KEEN 5/10/98

Witness my hand this 20TH day of MAY, 1998.

Karl J. Dreher
Acting for KARL J. DREHER, Director

MICROFILMED
JUN 12 1998

RECEIVED

JUL 10 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

912

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. 96-08860 Telephone No. (208)263-3378
2. Name(s) of Permit Holder(s): Sunrise Terrace Homeowners Association, Inc.
3. Mailing Address: 8867 Sunrise Circle, Sagle, Idaho 83860
4. Source of Water: ground water If **GROUNDWATER** (well), Date Drilled: mo. 6 / yr. 1984
 - a. Well Driller: Brand X Water Wells Drilling Permit Number: 96 - 84 - N - 0051
 - b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 21 Stockwater (No. and type of stock): N/A
Irrigation (No. of acres): N/A Other: None
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____ or No <u>X</u>
	Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No <u>X</u>
8. Fee Enclosed: \$ 50 (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: David K. Tate Telephone Number: (208)263-3378(h)
(208)263-5104(w)
Address: 8883 Sunrise Circle, Sagle, Idaho 83860
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: DAVID K. TATE PRESIDENT Date: 6/27/96
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08860

Proposed Priority: March 29, 1995 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **SUNRISE TERRACE HOMEOWNERS ASSOC INC**
C/O DAVID TATE
8867 SUNRISE CIR
SAGLE ID 83860

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 3, Township 56N, Range 02W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

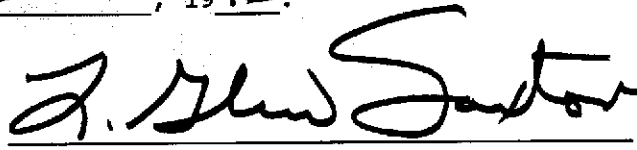
56N 02W 3 SESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1996.**
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. Place of use is located within Lots 1-17, Blk. 1 and Lots 1-4, Blk. 2, Sunrise Terrace Subdivision.
5. Domestic use is for 21 homes.

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

4th day of August, 1995.


for Karl J. Dreher, Director

RECORDED

SEP 18 1995

RECEIVED
JUL 31 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-08860

Department of Water Resources

To appropriate the public waters of the State of Idaho

David Tate
263-5104 (work)
263-3378 (home)

1. Name of applicant Sunrise Terrace Homeowner's Assoc. Inc Phone _____
Post office address 8867 Sunrise Circle, Sagle, Idaho 83860

2. Source of water supply ground water which is a tributary of N/A

3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot N/A
Sec. 3 Township 56N Range 2W B.M. Bonner County; additional
points of diversion if any: N/A

4. Water will be used for the following purposes:

* 0.06
Amount .058 for domestic purposes from Jan. 1 to Dec. 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) 0.06 .058 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. N/A

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 150 feet.

d. Is ground water with a temperature of greater than 85°F being sought? no

e. If well is already drilled, when? 6/84; Drilling firm Brand X Water Wells #289;

Well was drilled for (well owner) original owner Alan Kiebert

7. Time required for the completion of the works and application of the water to be proposed beneficial use is
* _____ years (minimum 1 year). *well in service

* Rounding per IDWR Standards to $\frac{1}{100}$ th. 8/2/95 cgg.

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. 21
- e. Other; describe fully. N/A

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56N	2W	3																D	0

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? Alan Kiebert

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

12. Remarks: a copy of the driller's report is attached

SEP 18 1995

This image shows a full page of blank graph paper. The grid consists of small squares formed by thin black lines. There are approximately 20 columns and 20 rows of squares. In the bottom right corner, there is some faint, illegible text or a stamp, possibly indicating a date like "JAN 1971".

100

SEP 18 1999
Permit to Approve

DOCKTATE

Received by db Date 3/23/95 Time 2:10P Preliminary check by AS
Fee \$ 5- 45- Received by db # N-8743 Date 3/23
Publication prepared by db Date 4/12/95 Published in Bonner County Daily Bee 4/20+27/95
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

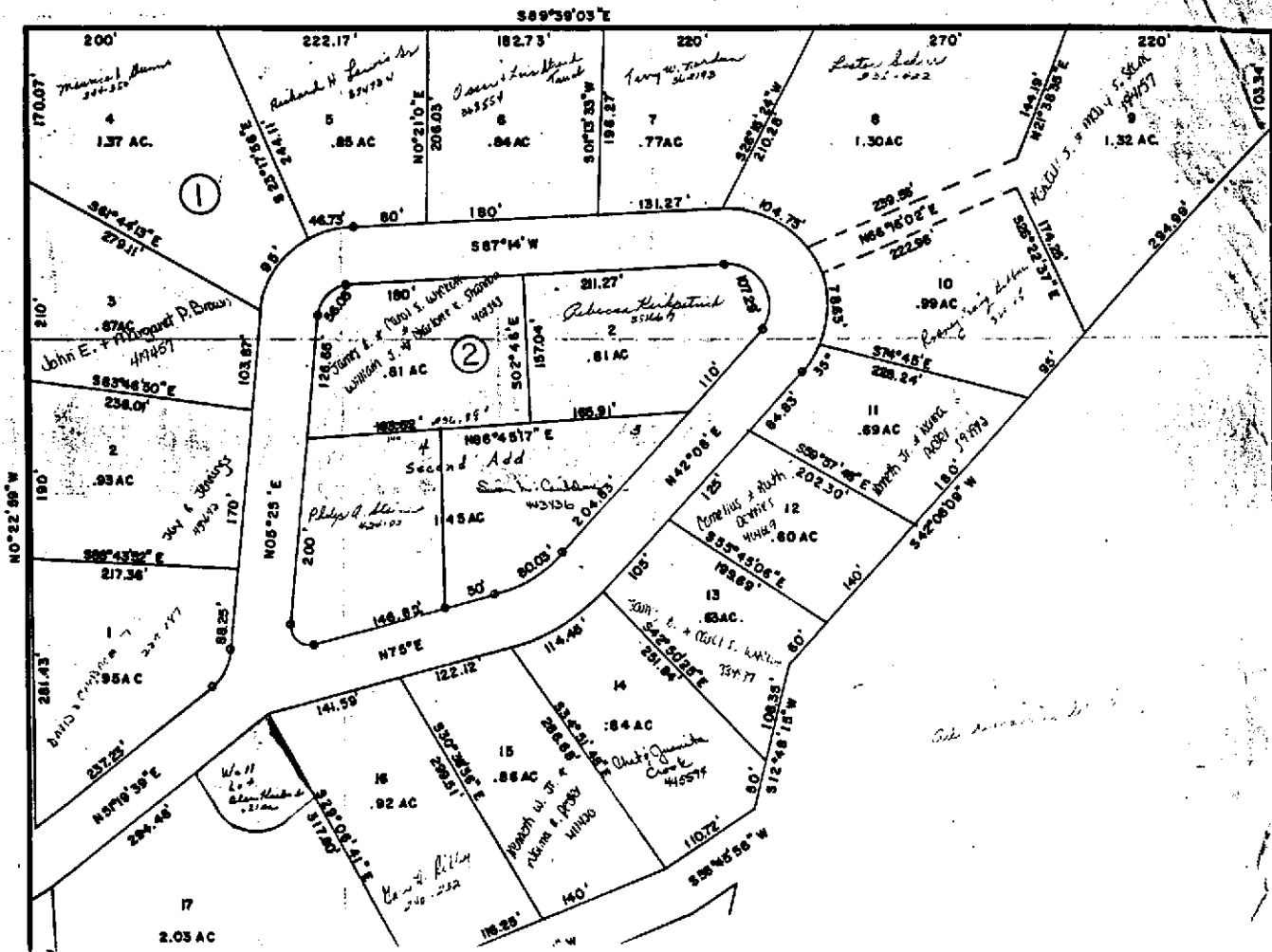
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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.

e. Other:

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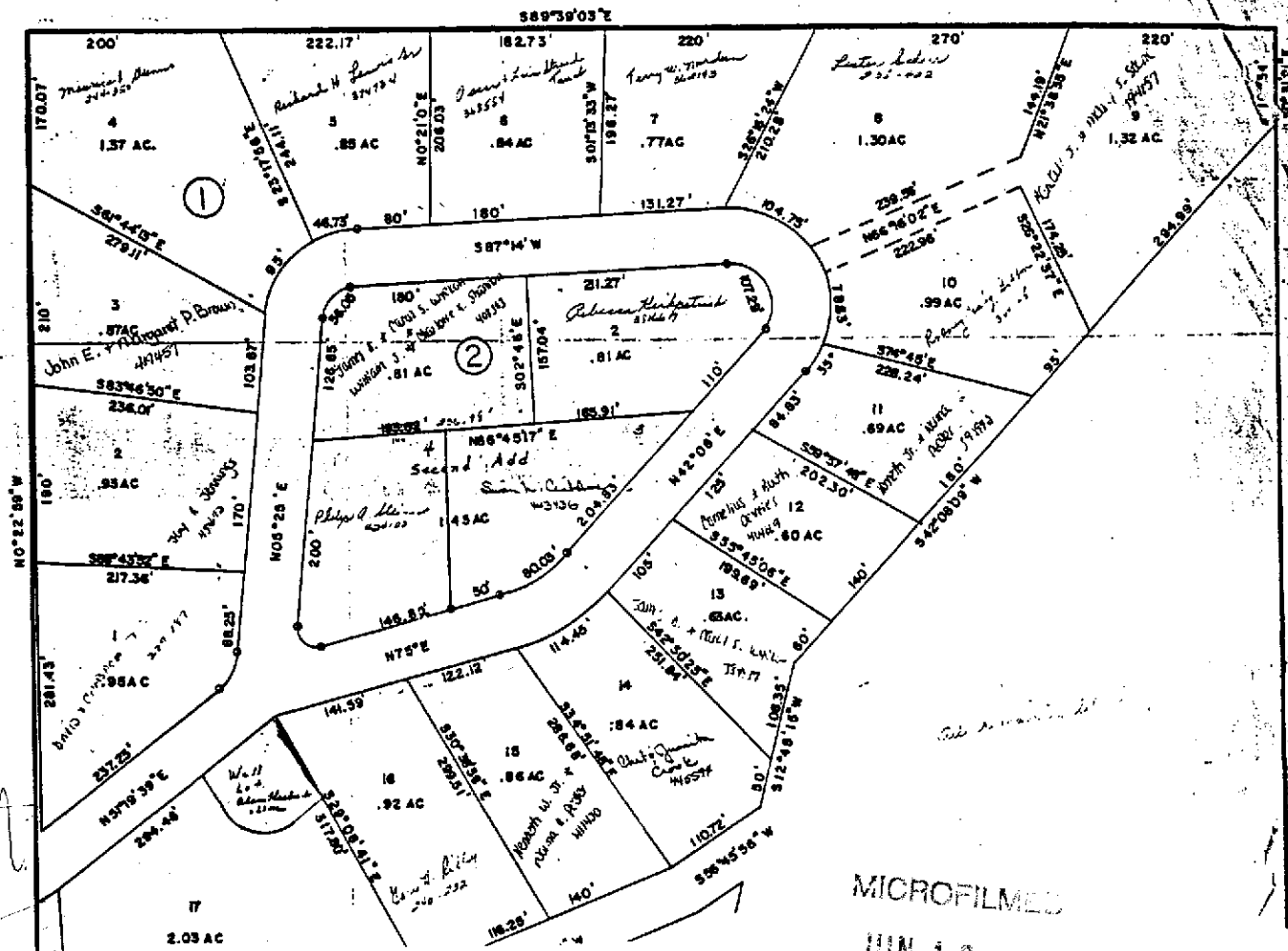
SE1/4 SE1/4, SECTION 3, TOWNSHIP 56N, RANGE 2 W



100-107147

SEP 18 1995

SE1/4 SE1/4, SECTION 3, TOWNSHIP 56N, RANGE 2 W



MICROFILMED

JUN 12 1998

96-08860

T. 56N., R. 02W., Sec. 3
SUNRISE TERRACE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 29, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SUNRISE TERRACE HOMEOWNERS ASSOC INC
C/O DAVID TATE
103 SUNRISE CIRCLE
SAGLE ID 83860

RE: WATER RIGHT NO. 96-08860

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.

MICROFILMED

JUN 12 1998

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 12 1998

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of May, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 96-08860

SUNRISE TERRACE HOMEOWNERS ASSOC INC
C/O DAVID TATE
103 SUNRISE CIRCLE
SAGLE ID 83860


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 12 1998

MEMORANDUM

DATE: May 18, 1998

TO: Water Right File 96-08860

FROM: Shelley W. Keen *SWK*

RE: Conversation with David Tate

This morning David Tate of Sunrise Terrace Homeowners Association, Inc., called to discuss my request for an amendment of permit 96-08860. After discussing the purpose of the amendment, which is to add the SW $\frac{1}{4}$ SE $\frac{1}{4}$ to the place of use, Mr. Tate and I discussed the use of water for lawn irrigation. Mr. Tate agreed that the well produces about 0.06 cfs, but he says that among the 17 homes already on the system there has never been a problem supplying water for some lawn irrigation. He said the lawn irrigation is infrequent and irregular, which helps keep the peak instantaneous demand low. Based on this discussion, I am recommending that the domestic use include an irrigation component.

Mr. Tate said he needs to discuss the amendment request with other board members, but he thinks they will probably submit the amendment.

MICROFILMED
JUN 12 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 12, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SUNRISE TERRACE HOMEOWNERS ASSOC INC
C/O DAVID TATE
103 SUNRISE CIRCLE
SAGLE ID 83860

RE: WATER RIGHT NO. 96-08860

Dear Permit Holder(s):

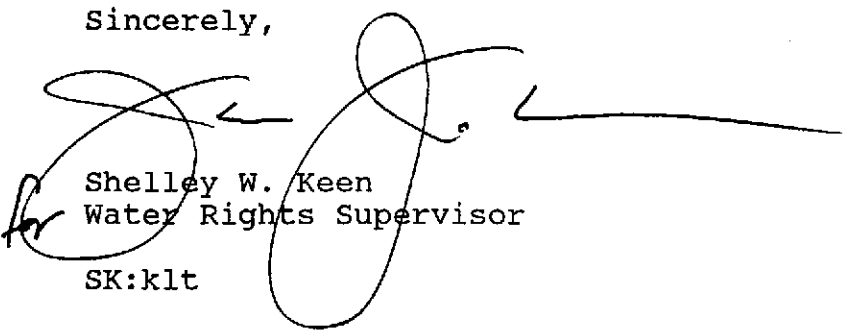
The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

JUN 12 1998

Analysis of System Capacity for Subdivisions

Operator: S. Curtis

Date: 5/8/98

Right No.: 96-08860

Existing or Proposed System

Storage capacity in gallons	3000 gal	
Pump horsepower	1.5 hp	
Dynamic lift	100 ft	
Pump discharge pressure	0 psi	<i>= open discharge to storage</i>
Theoretical pumping capacity	0.09 cfs	41.5 gpm
Permitted rate	0.06 cfs	26.9 gpm

Requirements

Number of homes	21 homes
Gallons per day per home	1000 gal
Area irrigated	0 acres
Peak demand period	60 min

Calculations

Peak instantaneous demand	0.21 cfs	93.0 gpm
Suggested pump capacity	0.06 cfs	27.9 gpm
Peak demand volume	5579 gal	
Max potential daily diversion vol.	38776 gal	
Total daily volume required	21000 gal	0.064 af
Time required to pump daily vol.	13.0 hr	780 min
Time required to refill storage	3.5 hr	207 min

Key Questions

Does existing storage capacity exceed peak demand volume?	No
Does existing pumping capacity meet or exceed the suggested pumping capacity?	No
Can the system produce the required daily volume in under 24 hours?	Yes

Notes:

MICROFILMED

JUN 12 1998

MEMORANDUM

TO: File 96-08860

FROM: Sharla

DATE: May 7, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 96-08860 are as follows:

H. RECOMMENDATIONS

Domestic	1/1 - 12/31	0.06 cfs	12.6 afa
----------	-------------	----------	----------

The permitted rate of diversion is being used for licensing; see subdivision analysis. The domestic use is for in-house only; the volume has been calculated accordingly. The application for permit was filed at a time when processing guidelines encouraged a separate component for lawn/garden irrigation. The application never referenced any such irrigation and the system confirmed by the examiner doesn't appear capable of producing sufficient water beyond in-house use.

According to the Assessor's office, Lots 17 and 18 are under one owner and only one home exists between the two lots. The license can be issued as proposed by the examiner for the place of use: Lots 1-16 and 18, Blk. 1 and Lots 1-4, Blk. 2.

Examiner: Herman Spangle
Exam Date: May 13, 1997

MICROFILMED

JUN 12 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 96-00860 DATE 4/6/98 REVIEWER: S H A R L A

NAME OK
 Address Chg 103 Sunrise Circle
 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)

96-4519

Overlaps:

Right(s):

File reviewed 1

Profile reports printed 1

PLACE OF USE

Chg

Change

(P41)

gov P43/P47

Add

(-P42)

W60 (subd. desc)

W27 (ppu acre limit)

assessor's office
 lots 17 & 18
 Mr & Mrs Marcott
 prev. owners Kiebert
 1 home total

Overlaps:

Right(s):

File reviewed 1

Profile reports printed 1

RATE OF DIV

Permitted Rate

.06 cfs

Fee limit

.20 cfs \$50⁰⁰

Measured

— cfs

Theoretical

.04 cfs .06 well log

Recommended Total Div Rate .06 cfs

WATER USES

Dom

.06 cfs

21x12 af

Irrig -

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

— cfs

— af

supp. gw (WB7/065/079)

— cfs

— af

overlap spec. combined rts (W35)

— cfs

— af

<1acre (W31)

— cfs

— af

Domestic (W01/WB5/070/071/075)

TOTALS

.06 cfs

25.2 af

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

Fish (042) Fire (077) Wtr Quality (081/R07)

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

REMARKS

P/D Lot 17

P/U 1-16, 18 Blk 1; 1-4, Blk 2

WB5

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

lots rate
P41, P38
P42
conv.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 27 1998

Department of Water Resources

96-08860

A. GENERAL INFORMATION

Permit No.

1. Owner: SUNRISE TERRACE HOMEOWNERS ASSOC. Phone No. (208)-263-3378 HM
Current Address: 103 SUNRISE CIRCLE SAGLE, ID 83860
2. Accompanied by: David Tate EXAM DATE: 5-13-97
Address: SAME AS ABOVE Phone No. SAME AS ABOVE
Relationship to Permit Holder: President of Association
3. Source: Groundwater tributary to —

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
PD #1	N/A	SW	SE	SE	03	56N	02W	BONNER	USGS 7.5' QUAD, Site Visit, Plat Map

2. Place(s) of Use:

Indicate Method of Determination USGS 7.5' QUAD, PLAT MAP

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	02W	03																	Domestic

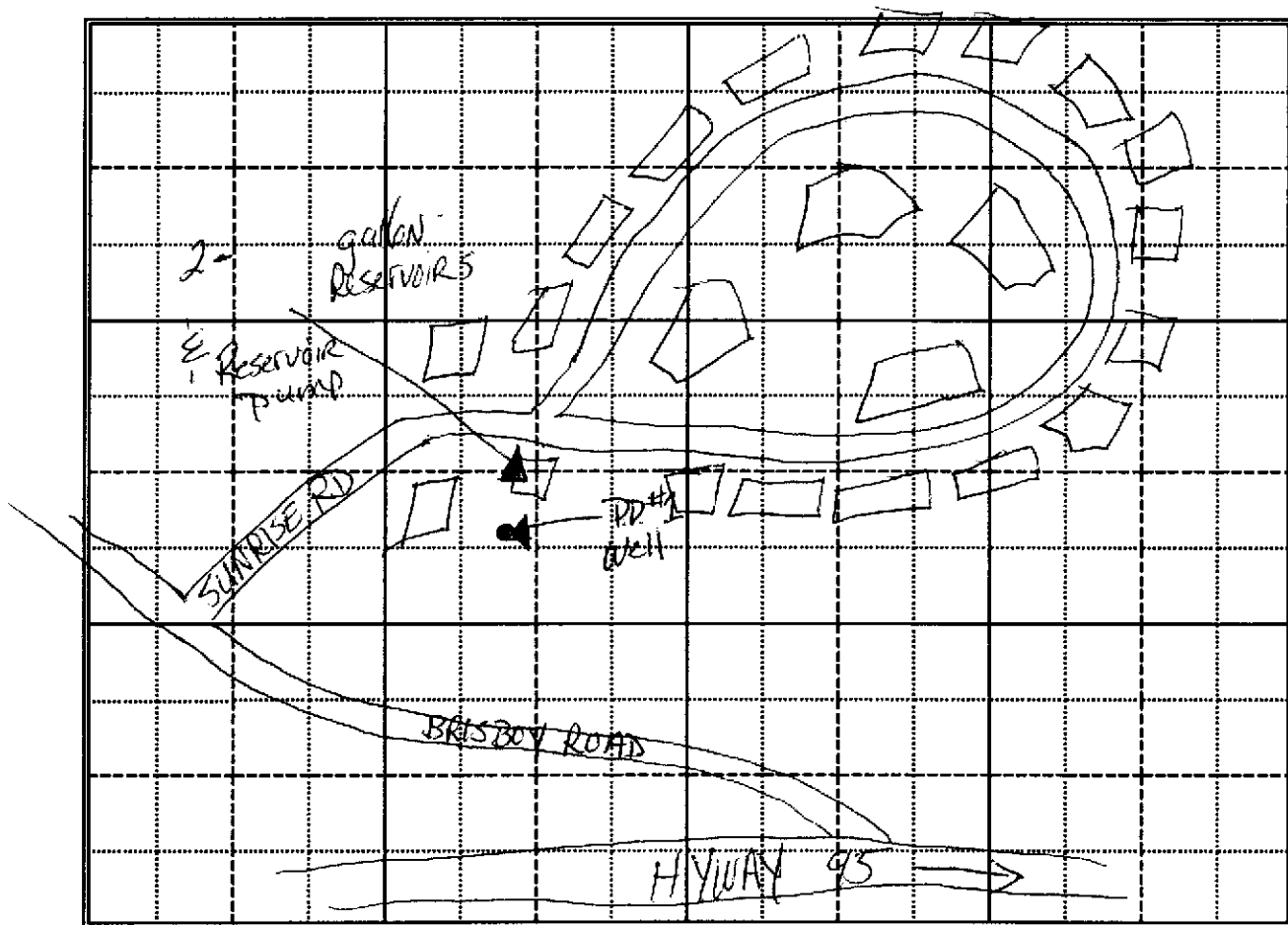
*PLACE OF USE IS FOR:

LOTS # 1-16 E 1/8 BLOCK #1
LOTS # 1-4 BLOCK #2

MICROFILMED

JUN 12 1998

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



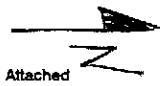
□ - HOMES
& LOTS

Scale: 1" = 116'

☒ 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
P.D. Well #1	Submersible	1.5		Goulds	1 1/4"
Reservoir Pump	Baldor	7.5	F-892		3" Main Line

*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:

MICROFILMED

JUN 12 1952

E. NARRATIVE/REMARKS/COMMENTS

System Consist of 180' - 6" diameter Well with
1/2 1.5 HP Submersible Goulds pump in well. Water
is pumped to a 3000' gallon storage Tank. From storage
a 7.5 HP Baldor pump distributes water through
a 3" main line to 21 homes.

* See As Bults *

Lot # 18 is Located in the SW 1/4 SE 1/4.

Lot # 17 of sub-division has its own well.

* Permittees did not Apply for IRRIGATION of Lawn & Gardens.
Each homes irrigates approx 1/3 of a acre. Application
was given to MR. Tate.

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

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JUN 12 1998

F. FLOW CALCULATIONS

Measured Method:

X Additional Computation Sheets Attached

** See Theoretical*

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

21 Homes X 1.2 acft = 25.2 ACFT

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>1-01</i>	<i>12-31</i>	<i>.06</i>	<i>25.2</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>.06</i>	<i>25.2</i>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name *Hummer L. Spangle* Date *7-13-97*

Reviewer _____ Date _____

MICROFILMED

JUN 12 1998

SEAL

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 96-08860
DATE: 14-MAY-97
COMPLETE BY: HERM

HORSEPOWER = 1.5

PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 150 FEET

SYSTEM PRESSURE = 50 PSI

QUANTITY = 0.04 CFS

MICROFILMED
JUN 12 1998

STATE OF IDAHO
OF WATER RESOURCES
REPORT SUP

PERMIT #

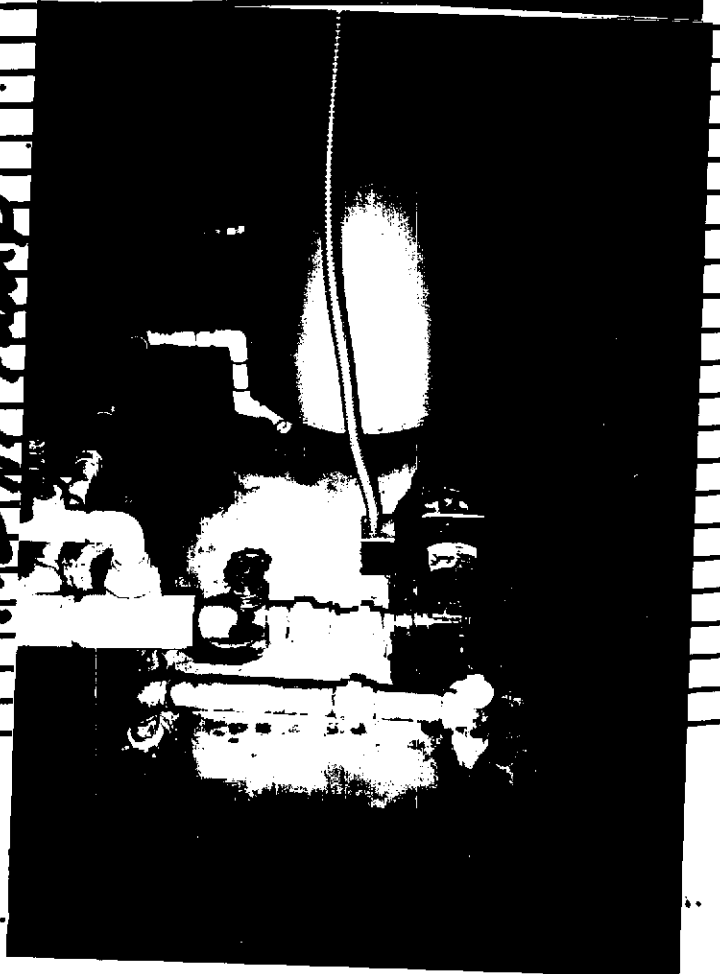
96-08860

I R A

~~well house~~
well head



2-hp pump
7/6-HP Pump



PERMIT

91-08860

STATE OF IDAHO
DEPT OF WATER
REPORT SUPPLY

PHOTOGRAPH

PLACE OF USE

NO. 27100
JUL 12 1938
CENTRAL



Sagley

Trail

SUNRISE TERRACE

1998

SUNRISE TERRACE
HOMEOWNERS ASSOC.

96-08860

T. 56N. R. 02W.

Sec. 3

EAST

WHITE

THUNDERBOLT

RAILROAD

GRADE

MICROFILMED C.O.N

JUN 12 1998

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**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08860 Reviewed by [Signature] Date 7-24-96

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit? dom.
Yes Address same as permit? _____
Yes Proof timely received? Correct Uses? Yes
If not, complete calculation below.

SOURCE OF WATER

_____ Surface water source
✓ Ground water source
Yes Drilling permit required?
_____ Copy in the file? Drilling Permit No. 96-84-N-0051
_____ Amount paid for permit _____ Correct?
Yes 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	_____	_____
Date proof due	_____	-
No. of days late	_____	=
Priority Date	_____	+
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____ Proof Made 7-1-96



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

July 26, 1996

SUNRISE TERRACE HOMEOWNERS
ASSOC INC
8867 SUNRISE CIR
SAGLE ID 83860

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 96-08860

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.

Please be advised that 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.

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

c: IDWR - Region

RECEIVED
AUG 2 2 1996

May 31, 1996

SUNRISE TERRACE HOMEOWNERS ASSOC INC
C/O DAVID TATE
8867 SUNRISE CIR
SAGLE ID 83860

PROOF DUE NOTICE

RE: PERMIT NO. 96-08860

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 August 1, 1996.

(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.

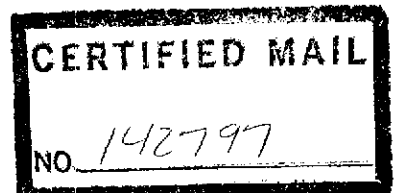
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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





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

August 4, 1995

SUNRISE TERRACE HOMEOWNERS ASSOC INC
C/O DAVID TATE
8867 SUNRISE CIR
SAGLE ID 83860

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08860

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. 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,



Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

SEP 18 1995

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

No.: 96-8860 Name: Sunrise Terrace HOA Date: 8/2/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: 886724-45 Priority: 3/29/95 ☒ 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. (POU cmp) - 01M, 065 (if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. 96-84-N-0051-0000, 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 in WD):
Water District (dam) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report) (POU cmp)
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) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (consump. use), 047-P04 (Payette Lake), NA

USE:
Domestic (surface) - 021 (Boise R ↑ L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr =/- 5 acres - 057 (0.03 cfs/A) <DO POU COMPARISON>
+ 5 acres - 03A (0.02 cfs/A) <DO POU COMPARISON>
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 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 CONDITION 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) Alan Kiebert

OTHER CONDITIONS: -

STANDARD REMARKS: - ① PU = LT 1-17, Bk 1 & LT 1-4, Bk 2, Sunrise Terrace Subd.
② WOI/21

BENEFICIAL USE DUE: - 8-1-1996

COMMENTS: -

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JUL 31 1995

APPLICATION # 96 - 8860

Department of Water Resources

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

APPLICANT: SUNRISG

BY: AB

DATE: 3 / 29 / 95

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

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

PROCESSING

Yes No

PRIORITY DATE: 3 / 29 / 95

X (Include Moratorium Remark)

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

SB Shure

ADVERTISE IN: BONNER County.

LETTERS SENT REQUESTING:

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

INFORMATION RECEIVED:

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

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

(Yes) (No)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

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

(Yes) (No)

- Notice of pending void order issued. Final order response date: ____/____/____
Further information required from applicant
5/10/95 Affidavit of publication received
5/11/95 Application published correctly, If not, record action taken: _____

4/12/95 Publication dates and paper recorded on application | Sr. Agent initial AB

- ✓ Protests received. Final protest date: 5/18/95
✓ Measuring device required
✓ Measuring port required
✓ Special conditions:
✓ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB RKT

Date: 7/6/95

May 12, 1995

Mr Alan V Kiebert
1600 Denton Road
Hope ID 83836

Re: 96-08660 - Sunrise Terrace Homeowner's Assn

Dear Mr. Kiebert:

This to acknowledge receipt of the fax of your protest to the issuance of a permit to the Sunrise Terrace Homeowner's Assn. The last day for filing protests was May 8, 1995. Your fax was received on May 8; however, because the required \$25 fee for filing a protest did not accompany it, we must consider it as not timely filed. Your accountant, Wayne Harper and I discussed the situation when he came in to pay the fee on May 9. The permit which they have applied for is not a water right itself, but a permit to develop a water right. As I explained to Wayne, a water right may not be developed in trespass. If a permit is issued to the association and they cannot establish the right to use the system, then no valid water right could come from that filing. Those using water from the system, however, are faced with the problem that, in the eyes of the State of Idaho, their use of water is illegal because no permit has been issued by us for that use.

By copy of this letter and your letter to us, I am informing them of your concerns. I would be happy to meet with the parties if it would help resolve the situation.

If you have any questions, please contact me.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

cc: Sunrise Terrace Homeowner's Assn.

RECEIVED
SEP 18 1995

MAY 8, 1995

1600 DENTON ROAD
HOPE, IDAHO 83836

R. KEITH HIGGINSON, DIRECTOR
DEPT. OF WATER RESOURCES
NORTHERN REGION
1910 NORTHWEST BLVD., SUITE 210
COEUR D'ALENE, IDAHO, 83814

Not Timely received
w/ check

No check received
on or before 5/8/95

DEAR MR. HIGGINSON:

I WOULD LIKE TO PROTEST THE WATER RIGHT APPLICATION OF SUNRISE TERRACE HOMEOWNER'S ASSN. TAX # 96-08860. THE HOMEOWNER'S ASSN. DOES NOT OWN THE WELL, PROPERTY IT SITS ON, OR THE WATER SYSTEM IT IS HOOKED UP TO. THIS GROUP HAS NOT PURCHASED ANY OF THESE FACILITIES FROM ME.

IF YOU NEED DOCUMENTATION OF THIS FACT, PLEASE CONTACT ME AT 264-5496 (Home) OR WORK AT 265-4802. MR. TIM COCHRANE OF THE BONNER COUNTY ASSESSOR'S OFFICE CAN ALSO VERIFY THAT THEY DON'T OWN THE WELL OR WELL LOT. THEY THEREFORE SHOULD NOT BE GRANTED A WATER RIGHT ON SOMETHING THEY DON'T OWN.

THANK YOU.

ALAN V. KIEBERT
Alan V Kiebert

SEP 18 1995

NOTE: WAYNE HARPER WILL DROP
OFF 2:00 PM. MORNING 8/9/95

SEA NORTHWEST HOPE

265-4802

05/08/1995 22:46

MAY 8, 1995

1600 DENTON ROAD
HOPE, IDAHO 83836R. KEITH HIGGINSON, DIRECTOR
DEPT. OF WATER RESOURCES
NORTHERN REGION
1910 NORTHWEST BLVD., SUITE 210
COEUR D'ALENE, IDAHO, 83814

DEAR MR. HIGGINSON!

I WOULD LIKE TO PROTEST THE WATER RIGHT APPLICATION OF SUNRISE TERRACE HOMEOWNER'S ASSN, INC # 96-08860. THE HOMEOWNER'S ASSN. DOES NOT OWN THE WELL, PROPERTY IT SITS ON, OR THE WATER SYSTEM IT IS HOOKED UP TO. THIS GROUP HAS NOT PURCHASED ANY OF THESE FACILITIES FROM ME.

IF YOU NEED DOCUMENTATION OF THIS FACT, PLEASE CONTACT ME AT 264-5496 (HOME) OR WORK AT 265-4802. MR. TIM COCHRANE OF THE BONNER COUNTY ASSESSOR'S OFFICE CAN ALSO VERIFY THAT THEY DON'T OWN THE WELL OR WELL LOT. THEY THEREFORE SHOULD NOT BE GRANTED A WATER RIGHT ON SOMETHING THEY DON'T OWN.

THANK YOU.

SEP 18 1995

ALAN V. KIEBERT
Alan V. KiebertNOTE! WAYNE HARPER WILL DROP
OFF 8:50 AM MORNING 5/9/95

April 13, 1995

Sunrise Terrace Homeowner's Assoc., Inc.
c/o David Tate
8867 Sunrise Circle
Sagle, ID 83860

Subject: Water Appropriation Application for Permit Number 96-08860

Dear Sunrise Terrace Homeowner's Assoc., Inc.:

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. Enclosed are Receipt Numbers N008724 and N008743. Please refer to your Application for Permit Number in future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, 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 your Application for Permit can be approved. If the protest is not resolved, 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 Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent
Enc. - Receipt

SEP 18 1995

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pamela D. Johnson 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 20 day of April, 19 95
and ending on the 27 day of April, 19 95
and that said notice was published in said newspaper.

On this 1 day of May in the year
of 1995, before me, a Notary Public, personally
appeared Pamela D. Johnson
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Carolyn K. Inge
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 6/2000

FOR WATER RIGHT

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

96-08857

NASH, ARNOLD EDMUND KEIR
NASH, MARGUERITE B.R.
P O BOX 492
SAGLE, ID 83860
Source: LAKE PEND OREILLE
Tributary: PEND OREILLE RIVER
Diversion Pt: LOT 2 (NWSW) Sec
8 T 55N R 01W in BONNER County.
Use: IRRIGATION (0.120 CFS)
DOMESTIC (0.120 CFS)
Total Diversion: (0.120 CFS)
Date Filed: 3/31/1995
In: BONNER County
T55N R01W S08 Lot 2 (NWSW)
4.0 ACRES TOTAL

96-08858

ROBBINS, EDWIN H.
1870 LAKESHORE DRIVE
SAGLE, ID 83860
Source: PEND OREILLE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 2 (SWSE) Sec
34 T 57N R 02W in BONNER Coun-
ty.
Use: FIRE PROTECTION (2.000
CFS)
Total Diversion: (2.000 CFS)
Date Filed: 4/ 3/1995
T R S00
Place of use is within Sagle Fire
District.

96-08859

ROBBINS, EDWIN H
1870 LAKESHORE DRIVE
SAGLE, ID 83860
Source: PEND OREILLE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 2 (SWSE) Sec
34 T 57N R 02W in BONNER Coun-
ty.
Use: IRRIGATION (0.040 CFS)
FIRE PROTECTION (.040 CFS)
Total Diversion: (0.080 CFS)
Date Filed: 4/ 3/1995
In: BONNER County
T57N R02W S34 Lot 2 (SWSE)
1.0 ACRES TOTAL

96-08860

SUNRISE TERRACE HOME-
OWNER'S ASSOC. INC
C/O DAVID TATE
8867 SUNRISE CIRCLE
SAGLE, ID 83860
Source: GROUNDWATER
Diversion Pt: SWSE Sec 3 T
56N R 02W in BONNER County.
Use: DOMESTIC (0.058 CFS)
Total Diversion: (0.058 CFS)
Date Filed: 3/29/1995
In: BONNER County
T56N R02W S03 SESE

96-08861

VAN OYEN, JERRY L
7370 HIGHWAY 95 S
SANDPOINT, ID 83864
Source: GROUNDWATER
Diversion Pt: SWSW Sec 2 T 56N
R 02W in BONNER County.
SESW Sec 2 T 56N R 02W in
BONNER County.
Use: IRRIGATION (0.060 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.100 CFS)
Date Filed: 4/ 7/1995
In: BONNER County
T56N R 02W S02 SWSW SESW
4.0 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, Ida-
ho 83814, together with a protest fee
of \$25.00 on or before MAY 8, 1995

R. KEITH HIGGINSON,
Director
SNP#6842 Apr 20, 27, 1995

RECEIVED
MAY 10 1995
IDWR

96-08860

SUNRISE TERRACE HOMEOWNER'S ASSOC. INC
C/O DAVID TATE
8867 SUNRISE CIRCLE
SAGLE, ID 83860

Source: GROUNDWATER

Diversion Pt: SWSESE Sec 3 T 56N R 02W in BONNER County.

Use: DOMESTIC	(	0.058 CFS)
Total Diversion:	(	0.058 CFS)

Date Filed: 3/29/1995

In: BONNER County	
T56N R02W S03	SESE

4/20 & 21/95

3/29/95

96-08860

March 28, 1995

Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, Idaho 83814

RE: Water Right Application for Sunrise Terrace Home Owner's

Dear Sir,

I was notified that our application fee had increased to \$50.00. Please accept this additional \$5.00 to bring our fee into accordance.

Sincerely,



David K. Tate
President, Homeowner's Assoc.
8867 Sunrise Circle
Sagle, Idaho 83860

RECEIVED

SEP 18 1995

02W
H

raw, H

"

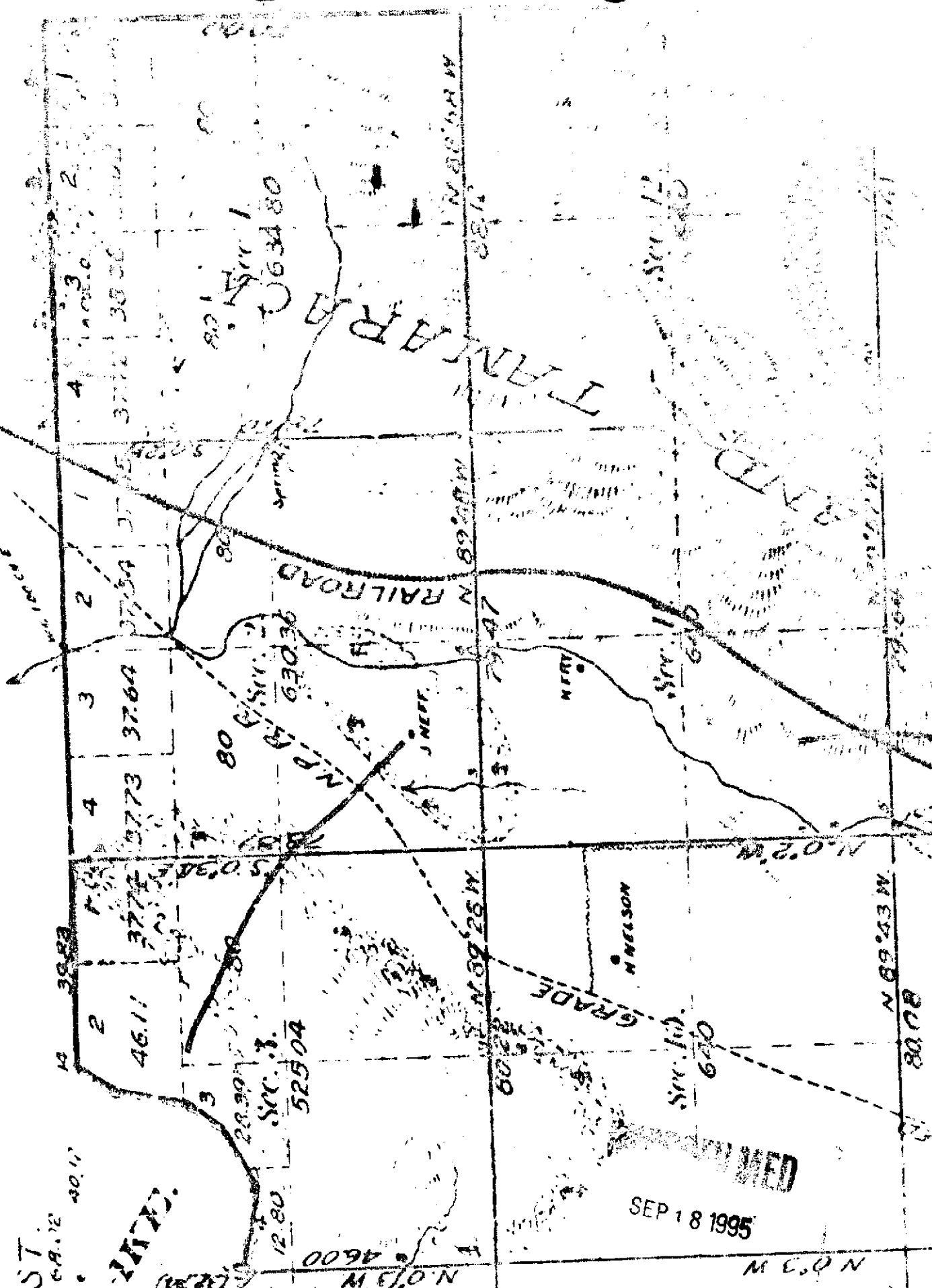
13

11

"

"

11



EAST
69.12
30.17
11.11

52.1
12.80
525.04

SEP 18 1995

N 89° 28' W

97W

N 89° 43' W

80.08

N NELSON

GRADE

Sr. 10
640

RAILROAD

TANAPRA

80
630.36
634.80

39.83

46.11

37.73

37.64

37.34

37.12

37.00

37.00

37.00