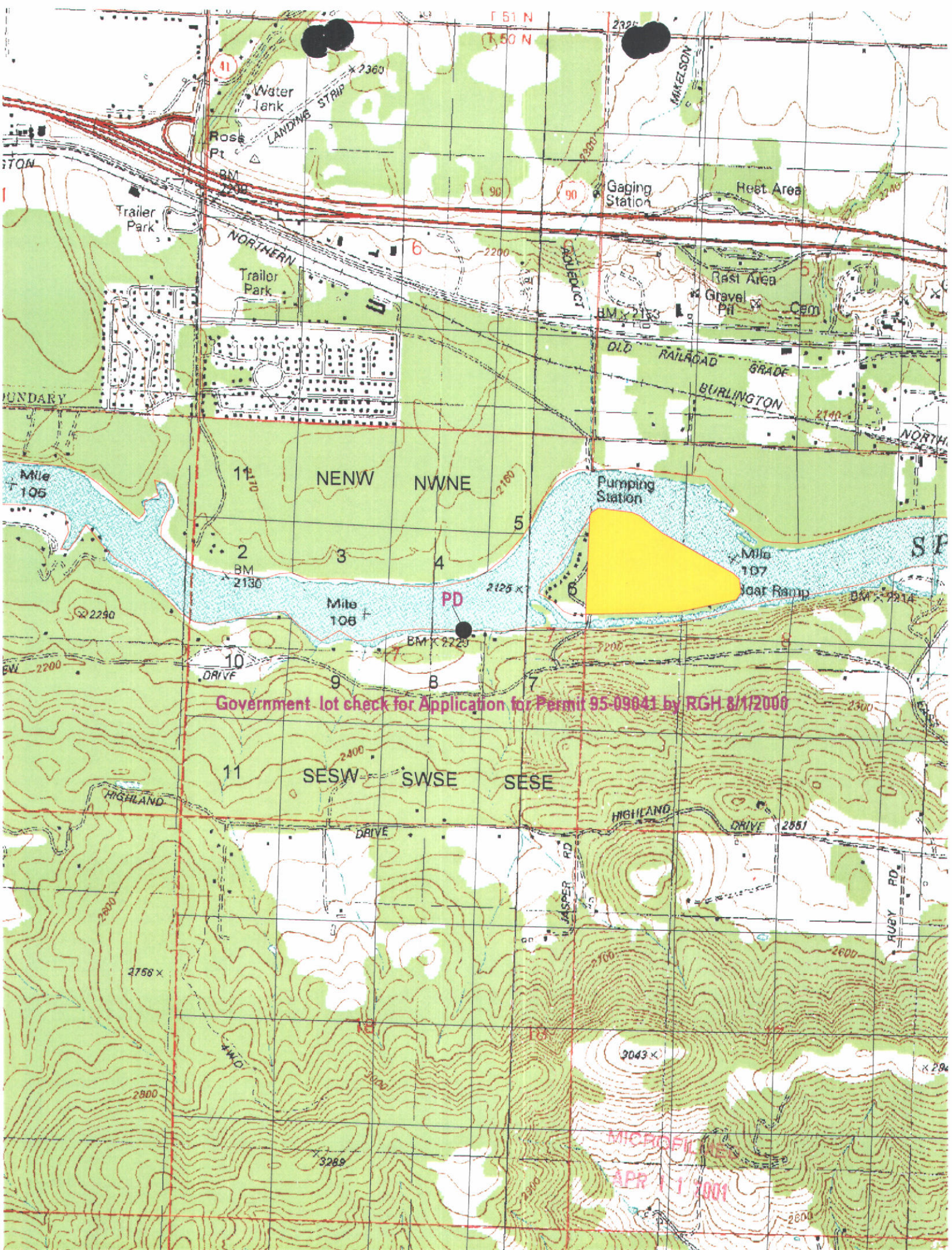






Government lot check for Application for Permit 95-09841 by RGH 8/1/2000

MICROFILMED
APR 11 2001



PJ

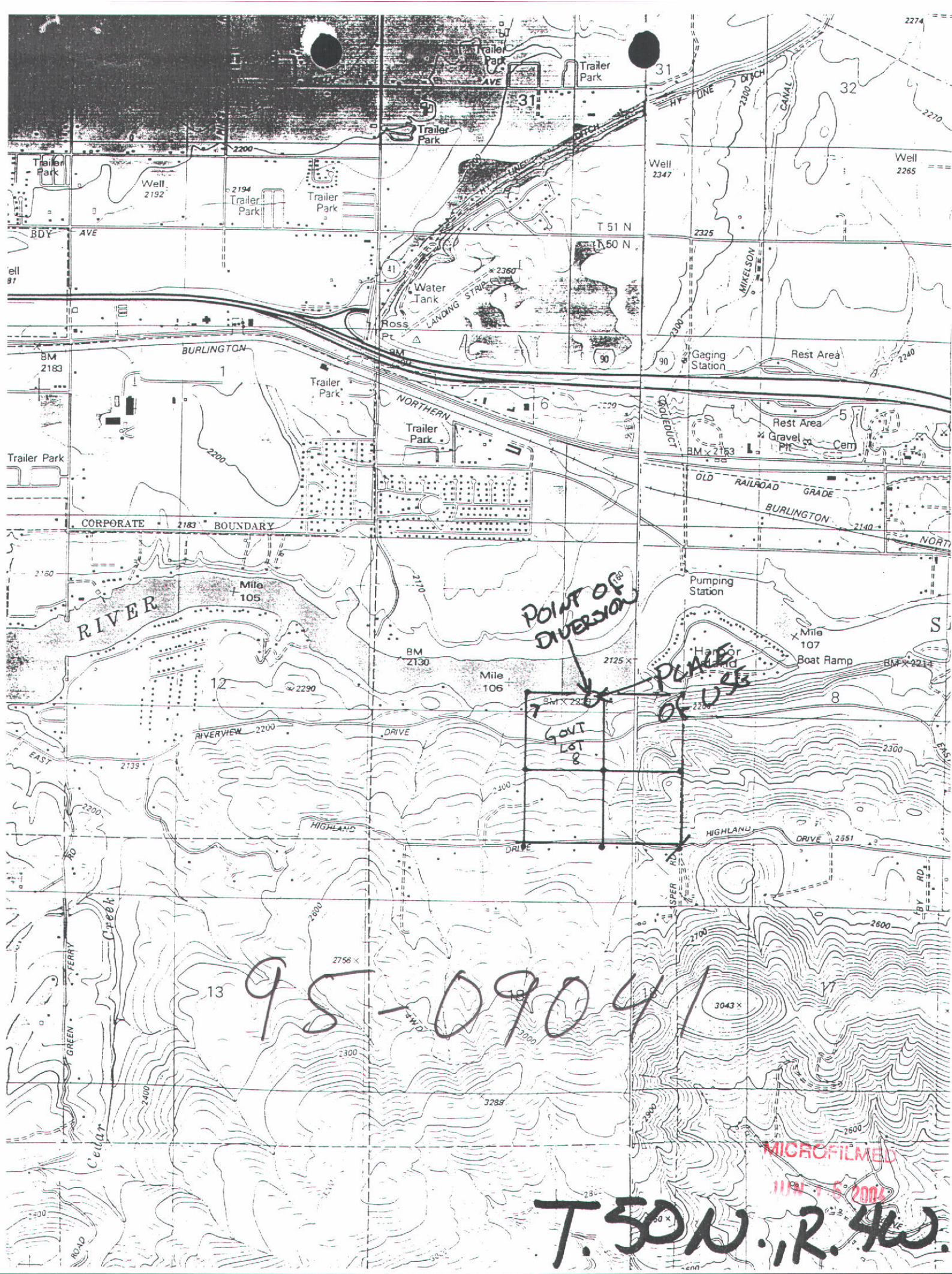


PJ

95-09041

lost PD Photo

MICROFILMED
JUN 16 2004



95-09041

MICROFILMED

11/11/15

T. 50 N. R. 4 W.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Cindy Zimmerman on 6/23/00

No. 95-0904 Name: Kramer Corp. Officers Ad ok Yes Govt Lots ✓

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 07/01/02

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

IRRIGATION SEASON 3/15 - 11/15 (Per updated map)

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response None

In/Above MSF - WB9 Spokane R.

PLANNING REVIEW/RESPONSE

In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4/4 - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

OTHER CONDITIONS/REMARKS

* COMMENTS NEEDS PLANNING REVIEW *

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
95-09041 IN THE NAME OF)
ORAM KRAMER and SANDRA)
KRAMER.)
_____)

REINSTATEMENT ORDER

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before July 1, 2002; and,

WHEREAS, the Department notified the permit holder on April 30, 2002, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

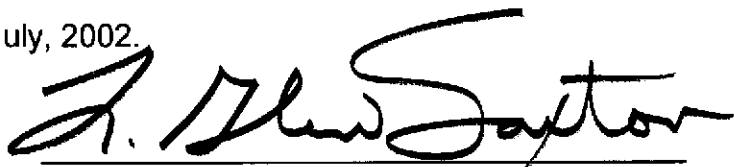
WHEREAS, the Department sent the permit holder a lapse notice on July 5, 2002, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting acceptable proof of beneficial use on July 9, 2002;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 95-09041 is **REINSTATED** with an advance in priority to **March 2, 2000**.

DATED this 12th day of July, 2002.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

OCT 17 2002

Amt. of Fee \$: 50
Receipt No. 115122
Receipt By: RJA
Date Received: 7/9/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

JUL 11 2002

Department of Water Resources

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

1. Permit No. 95-9041 Telephone No. 208 667-5109

2. Name of Permit Holder(s): ORAM AND SANDRA KRAMER

3. Mailing Address: 7265 W. OTTER BAY RD.

City Coeur d'Alene State ID Zip 83814

4. Source of Water: Spokane River If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1.07 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is *not* optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No ☒

Has the measuring device been installed?

Yes _____ or No _____

8. Fee Enclosed: \$ 50⁰⁰ (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: Same as above Telephone Number: _____

Address: _____

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

Signature of permit holder: Oram L. Kramer Date: 9 Jul 2002
(include your title, if on behalf of company or organization)

MICROFILMED

JUL 17 2002

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-09041

Priority: February 23, 2000

Maximum Diversion Rate:

0.03 CFS

This is to certify, that **ORAM KRAMER**

SANDRA KRAMER

7303 W RIVERVIEW DR

COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

SPOKANE RIVER

tributary of **COLUMBIA RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.03 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 8 (NWSE), Sec. 7, Township 50N, Range 04W
KOOTENAI County

PLACE OF USE: **IRRIGATION**

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
50N	04W	7	Lot 8 (NWSE)	1.0		1.0

Total number of acres irrigated: 1.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **July 1, 2002**.
2. Subject to all prior water rights.
3. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. The issuance of this right does not grant any right-of-way or easement across the land of another.
6. Water shall not be diverted under this right when flows in the Spokane River are below established minimum stream flows.

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

20th day of October, 2000.

MICROFILMED

APR 11 2001

[Signature]
for **Karl J. Dreher, Director**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

SEP 6 2000

DEPARTMENT OF WATER RESOURCES

1. Name of Applicant ORAM & SANDRA KRAMER Phone 208 667-5109
Mailing address 7303 W. Riverview Dr. Coeur d'Alene ID 83814
2. Source of water supply SPOKANE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is Township SDN. Range 4W Sec. 7, in the 1/4,
NW 1/4, SE 1/4, Govt. Lot 8, B.M., KOOTENAI County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
 Amount 0.03 for IRRIGATION purposes from 3/15 to 1/15 (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.03 and/or (b) _____
 cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source PUMP IN RIVER -
IRRIGATION SYSTEM
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____
 Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

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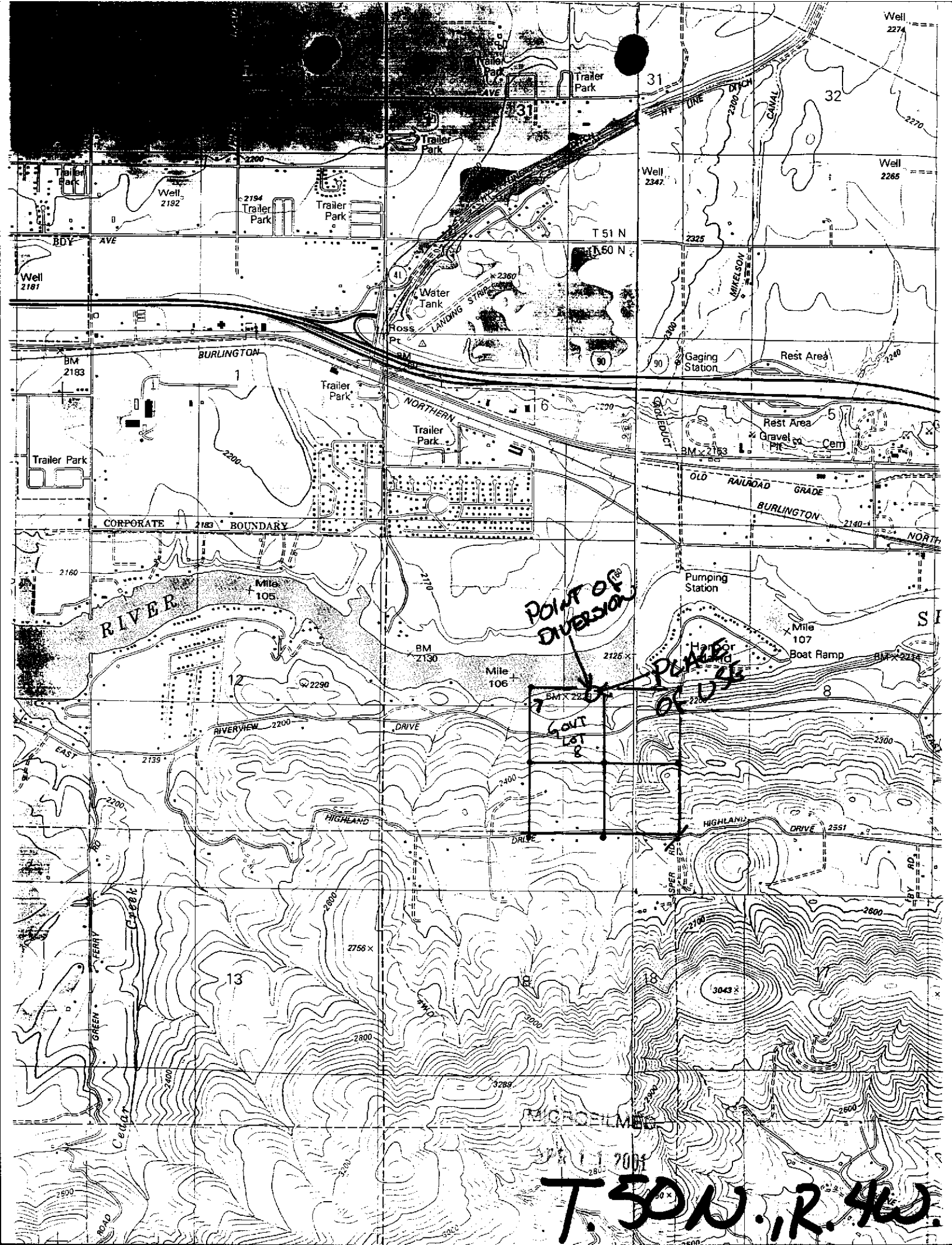
APR 11 2001

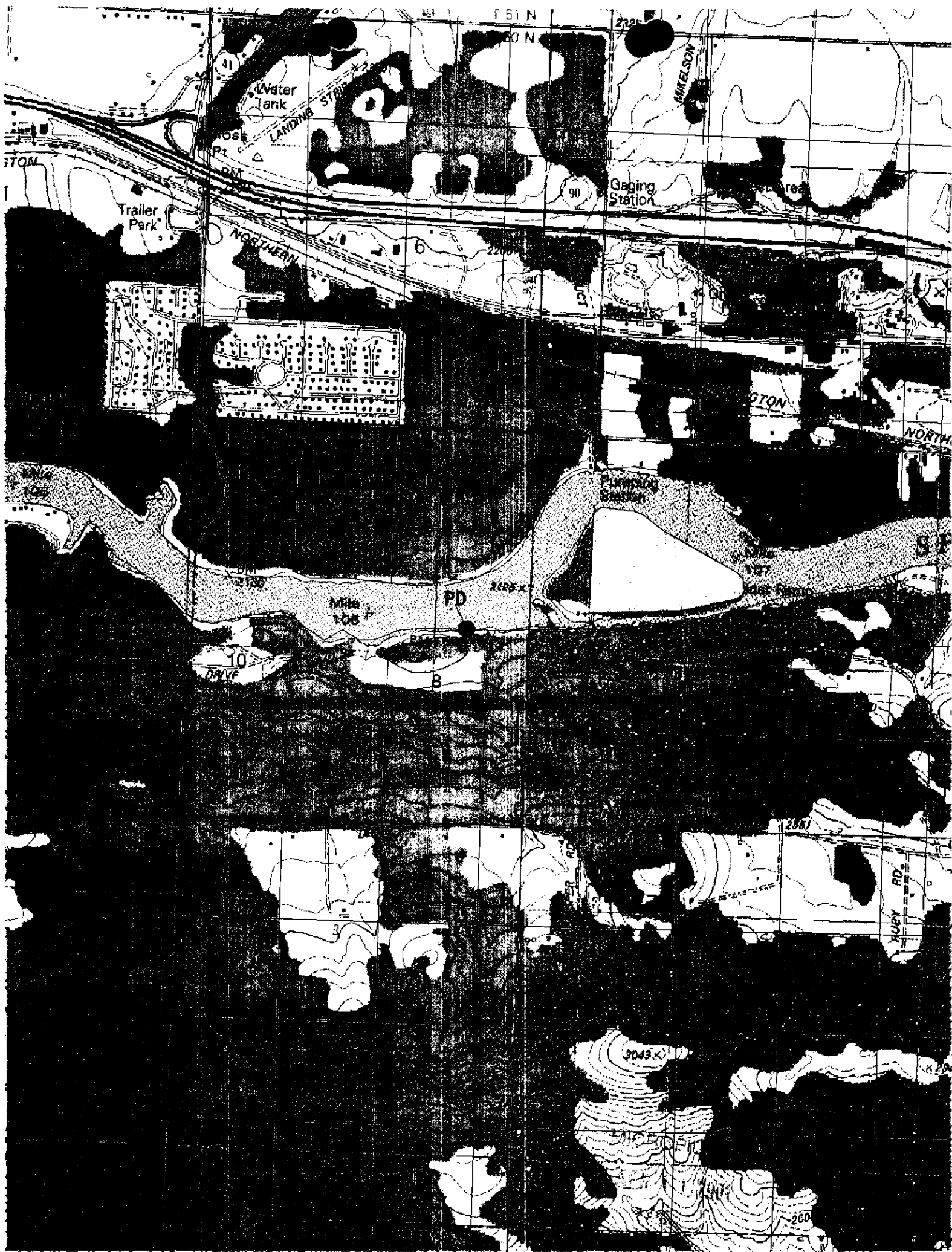
9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC							
50N	4W	7	NE						
			NW						
			SW						
			SE						
						NE			
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 20 2004

DEPARTMENT OF
WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 95-09041

1. Owner: Cram & Sandra Kramer Phone No. (208) 667-5109

Current Address: 7265 W. Otter Bay Rd, Coeur D'Alene Id. 83814

2. Accompanied by: Cram Sandra EXAM DATE: 6-25-03

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spokane River tributary to Columbia River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	Lot 8		NW	SE	7	50N	04W	Kootenai	USGS 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	07													.8				

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JUN 16 2004

2. Measurements:

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

D. FLOW MEASUREMENTS

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

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	1	0801084915	Scb	1.5"

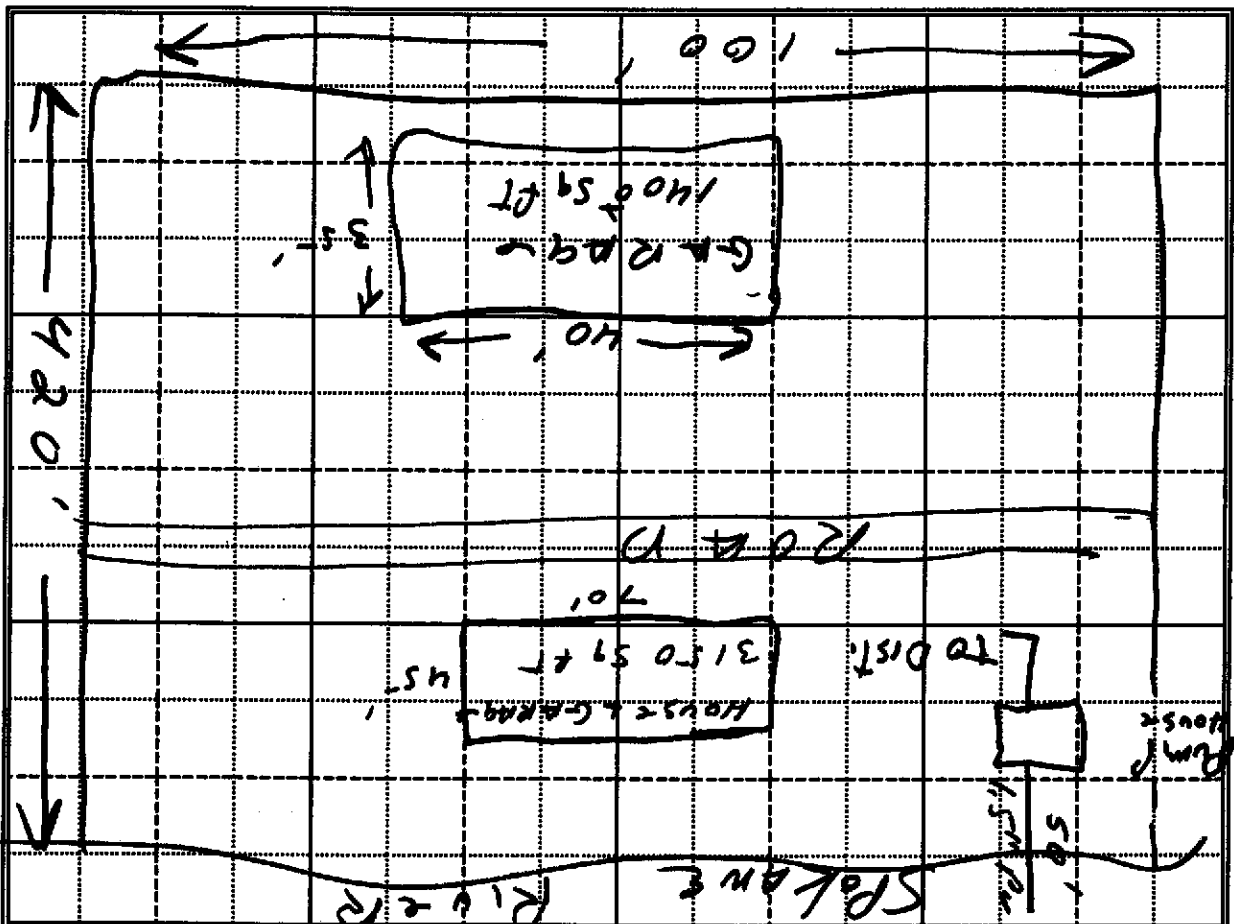
4

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

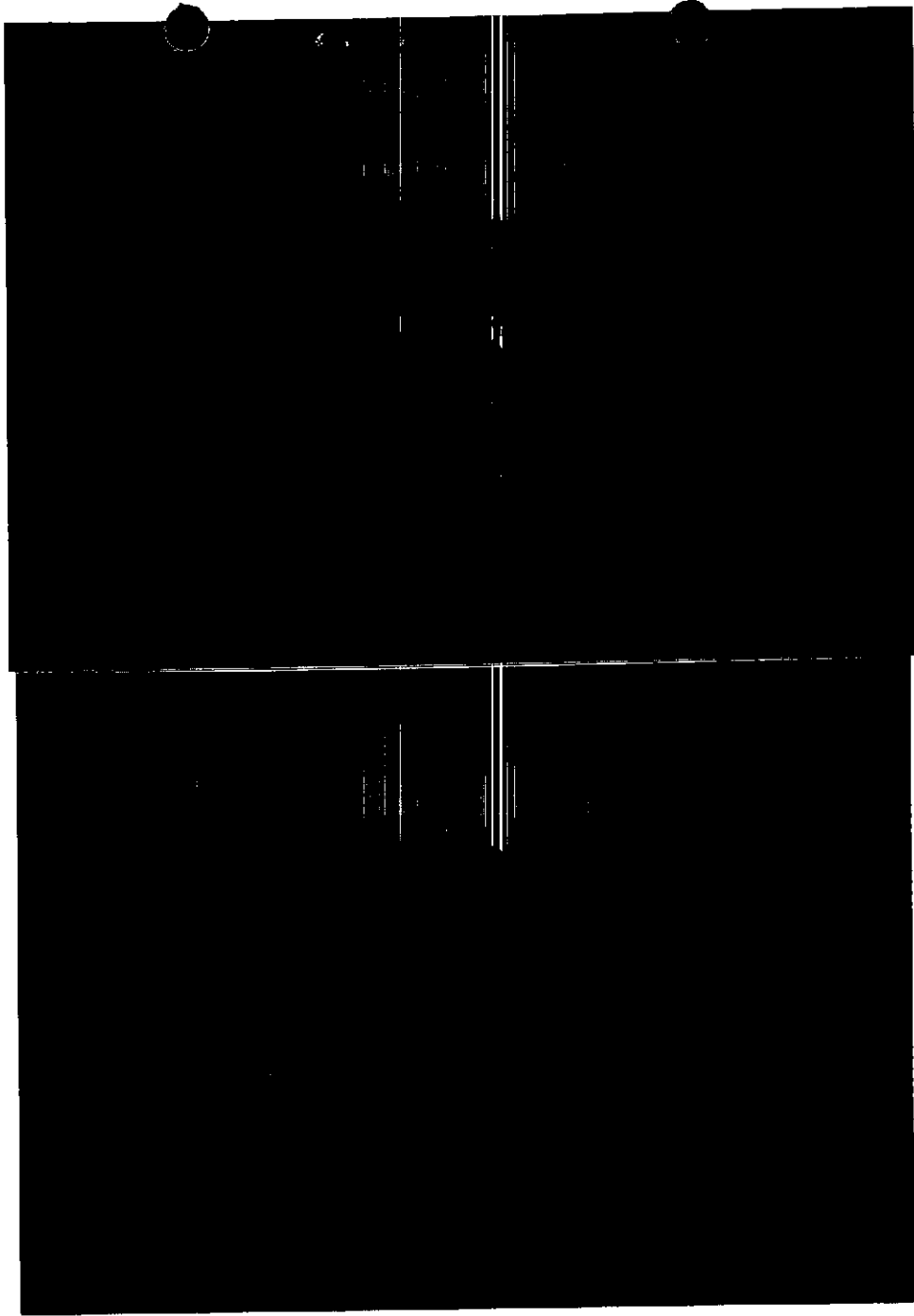
Aerial Photo Attached
(required for irrigation)

Photo of Diversion and System Attached

Scale 1 =



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



PV

PV

95-09041

Lost PD Photo

MICROFILMED
JUN 15 2006



POINT OF DIVERSION

PLACE OF USE

GOVT LOT 8

95-09041

T. 50 N., R. 4 W.

E. NARRATIVE/REMARKS/COMMENTS

There is a 70' elevation change from
PD to back of yard. Entire system is buried.
Pop up type sprinklers. There is a pressure
gauge on system. It operates at 70 PSI. A thermal
measurement done

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

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JUN 16 2004

Measured Method:

Additional Computation Sheets Attached

$$\text{Theoretical } \frac{8.8(1)(.7)}{70 + (2.13 \times 70)} = \frac{6.16}{231.7} = 0.0265 \approx 0.03 \text{ CF}$$

G. VOLUME CALCULATIONS

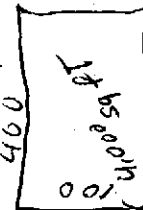
1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .8 \times 3 = 2.4$$

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

$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 2.4$$

2. Volume Calculations for Other Uses:



- gross 1400 g/Lt
 - House dog 3150 g/Lt
 4000
 - 1400
 - 3150
 35450
 43560
 35450 = 180000

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Ameyden

Period of Use

From

03-15 11-15

Rate of Diversion

(SIC) 0

103

Annual Volume

(b)(7) A

204

2. Recommended Amendments

Change P.D. as reflected above

Change P.U. as reflected above

Add P.D. as reflected above

Add P.U. as reflected above

None
Other

1. AUTHENTICATION

Review

Date: _____

Field Examiner's Name /

Date: _____

Reviewed by _____ Date 9-9-03

1007 0 1 2004

4067 0 1 2004

MICROFILMED
 JUN 15 2004

SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 15, 2002

ORAM KRAMER
SANDRA KRAMER
7265 W OTTER BAY RD
COEUR D'ALENE ID 83814

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 95-09041

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date.

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

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. The regional office staff will contact you when that examination is to be conducted. If you have questions concerning the field examination, please contact the **Northern Regional Office** of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region (w/encl.)

MICROFILMED

OCT 17 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9041

Reviewed By: dgibson

Date: July 12, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N013458, N015122	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		07/09/2002
Date proof due	-	07/01/2002
Lapse notice sent	-	
No. of days late	=	8
Holiday allowance	+	
Priority date	+	02/23/2000
New priority date	=	03/02/2000

Deficiencies of Actions Items

Reinstate permit with an advance of the priority date. Acknowledge proof.

July 5, 2002

ORAM KRAMER
SANDRA KRAMER
7303 W RIVERVIEW DR
COEUR D ALENE, ID 83814

LAPSE NOTICE

RE: PERMIT NO. 95-9041

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 the proof due notice dated July 5, 2002. 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.

Sincerely,

L. Glen Saxton, Chief
Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 7/5/02
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED
OCT 17 2002



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Return Service Requested

CERTIFIED MAIL



7000 1530 0000 9414 6891

7265

RECEIVED

MAY 10 2002

Department of Water Resources

MICROFILMED

001 17 2002

KRAM265 T838142018 1402 07 05/03/02
RETURN TO SENDER
KRAMER
TEMPORARILY AWAY
RETURN TO SENDER

83814/741





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 30, 2002

ORAM KRAMER
SANDRA KRAMER
7303 W RIVERVIEW DR
COEUR D ALENE, ID 83814

PROOF DUE NOTICE

RE: PERMIT NO. 95-9041

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 01, 2002. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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,


Deborah J. Gibson, Admin. Assistant
Water Allocation

Enclosures

April 30, 2002

ORAM KRAMER
SANDRA KRAMER
7303 W RIVERVIEW DR
COEUR D ALENE, ID 83814

PROOF DUE NOTICE

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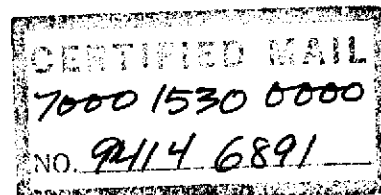
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Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation

Enclosures

MICROFILMED
OCT 17 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 20, 2000

ORAM KRAMER
SANDRA KRAMER
7303 W RIVERVIEW DR
COEUR D ALENE ID 83814

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09041

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

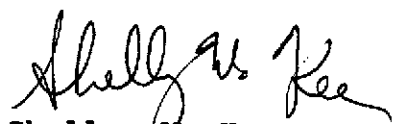
Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least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

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

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APR 11 2001

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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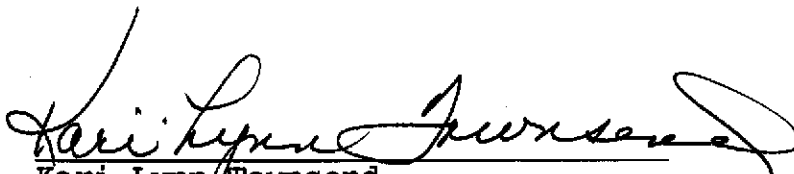
APR 11 2001

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of October, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 95-09041

ORAM KRAMER
SANDRA KRAMER
7303 W RIVERVIEW DR
COEUR D ALENE ID 83814


Kari Lynn Townsend
Secretary

MICROFILMED

APR 11 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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APR 9 1 2009

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

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APR 11 2001

Keen, Shelley

From: Graham, Bill
Sent: Thursday, October 19, 2000 4:45 PM
To: Keen, Shelley
Subject: RE: Water Right Application 95-09041

Thanks Shelley - As long as it contains the standard MSF condition (ie this appropriation is junior to a minimum streamflow water right), we have no problem with the permitting or licensing of this water right.

Bill G.

-----Original Message-----

From: Keen, Shelley
Sent: Thursday, October 19, 2000 3:32 PM
To: Graham, Bill
Subject: Water Right Application 95-09041

<< File: Doc1.doc >>

Bill,

Can you take a look at this application on the Spokane River and let us know if you have any specific concerns or recommendations.

Thanks.

Shelley

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APR 11 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Cindy Zimmerman on 6/23/00

No. 95-0904 Name: Kramer Corp. Officers Ad ok Yes Govt Lots ✓

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 07/01/02

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response None

In/Above MSF - WB9 Spokane R.

PLANNING REVIEW/RESPONSE

In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
~~> 0.24 cfs/5 acres~~ - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 3/15 - 11/15 (Per updated map)

OTHER CONDITIONS/REMARKS

* **COMMENTS** NEEDS PLANNING REVIEW *

**ID 00 DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

RECEIVED

SEP 16 2000

APPLICATION # 95-09041

DEPARTMENT OF WATER RESOURCES

..... INITIAL REVIEW

APPLICANT: KRAMER BY: JB DATE: 2/23/00

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
(X) Nature of Proposed Use
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
(X) Signature
(X) Fee (Amt, receipt, acknowledgement)

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 2/23/00

X (Include Moratorium Remark)

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

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

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>+</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>+</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
<u>+</u>	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- ✓ Notice of pending void order issued. Final order response date: / /
- ✓ Further information required from applicant
- 3/10 Affidavit of publication received
- 3/10 Application published correctly. If not, record action taken: _____
- 2/24 Publication dates and paper recorded on application | Sr. Agent initial _____
- ✓ Protests received, Final protest date: 3/20/00
- ✓ Measuring device required
- ✓ Measuring port required
- ✓ Special conditions: _____
- ✓ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: RMT Date: 8/1/2000

Ball, Dianne

From: Ball, Dianne
Sent: Friday, March 03, 2000 10:59 AM
To: 'Chip Corsi'
Subject: perweek1.txt



perweek1.txt.url

Chip, this is still another one (KRAMER - 95-09041). Final date for protest on this one is also March 20, 2000.

Again, we would appreciate your comments EITHER WAY - but if we don't hear from you on or before March 20, we will assume that you have no reason to protest issuance of this water right.

Thanks again. Dianne

<http://www.idwr.state.id.us/info/water/rights/perweek1.txt>

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APR 11 2001

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

Stacie Walker

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 *2* day of *March*, *2000*, and ending on the *9* day of *March*, *2000*, 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.

Stacie Walker

Subscribed and sworn to before me this *9* day of *March*, *2000*.

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-09041

KRAMER, ORAM
KRAMER, SANDRA
7303 W. RIVERVIEW DR.
COEUR D'ALENE, ID 83814
Source: SPOKANE RIVER Tributary:
COLUMBIA RIVER
Diversion Pt: LOT 8 (NWSE)

Sec 7 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION (0.030 CFS)
Total Diversion: (0.030 CFS)

Date Filed: 2/23/2000

In: KOOTENAI County

T50N R04W S07 LOT 8 (NWSE)
1.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before MARCH 20, 2000.

KARL J. DREHER, Director
Legal 643
March 2, 9, 2000

RECEIVED
MAR 10 2000
IDWR/North

95-09041

KRAMER, ORAM
KRAMER, SANDRA
7303 W RIVERVIEW DR
COEUR D ALENE, ID 83814

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 8 (NWSE) Sec 7 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)

Date Filed: 2/23/2000

In: KOOTENAI County
T50N R04W S07 Lot 8 (NWSE)

1.0 ACRES TOTAL

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SEP 11 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 24, 2000

Legal Notices Department
COEUR D ALENE PRESS
SECOND & LAKESIDE
COEUR D ALENE, ID 83814

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 20, 2000.

Yours truly,

Dianne Ball

DIANNE BALL
Administrative Assistant

Enclosure

Thanks
ok
2/24/00

Post-it® Fax Note 7671		Date	2/24/00	# of pages	4
To	Legal Notices	From	Dianne Ball		
Co./Dept.	CDA Press	Co.	Dept of Water Res.		
Phone #	664-8176	Phone #	769 1450 *		
Fax #	664-0212	Fax #	769 1454		

*Please call to acknowledge receipt.

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APR 1 2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

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APR 11 2001

95-09041

KRAMER, ORAM
KRAMER, SANDRA
7303 W RIVERVIEW DR
COEUR D ALENE, ID 83814

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 8 (NWSE) Sec 7 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)

Date Filed: 2/23/2000

In: KOOTENAI County
T50N R04W S07 Lot 8 (NWSE)

1.0 ACRES TOTAL

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APR 11 2001

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 MARCH 20, 2000.

KARL J. DREHER, Director

Published: 3/ 2/2000 & 3/ 9/2000

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APR 11 2001

February 24, 2000

Oram and Sandra Kramer
7303 W Riverview Drive
Coeur d Alene ID 83814

Re: Water Appropriation Application No. 95-09041

Dear Mr and Mrs. Kramer:

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 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

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APR 11 2000

DATE: 02/24/00
PAGE: 1

Audit: 02/24/00 DBALL