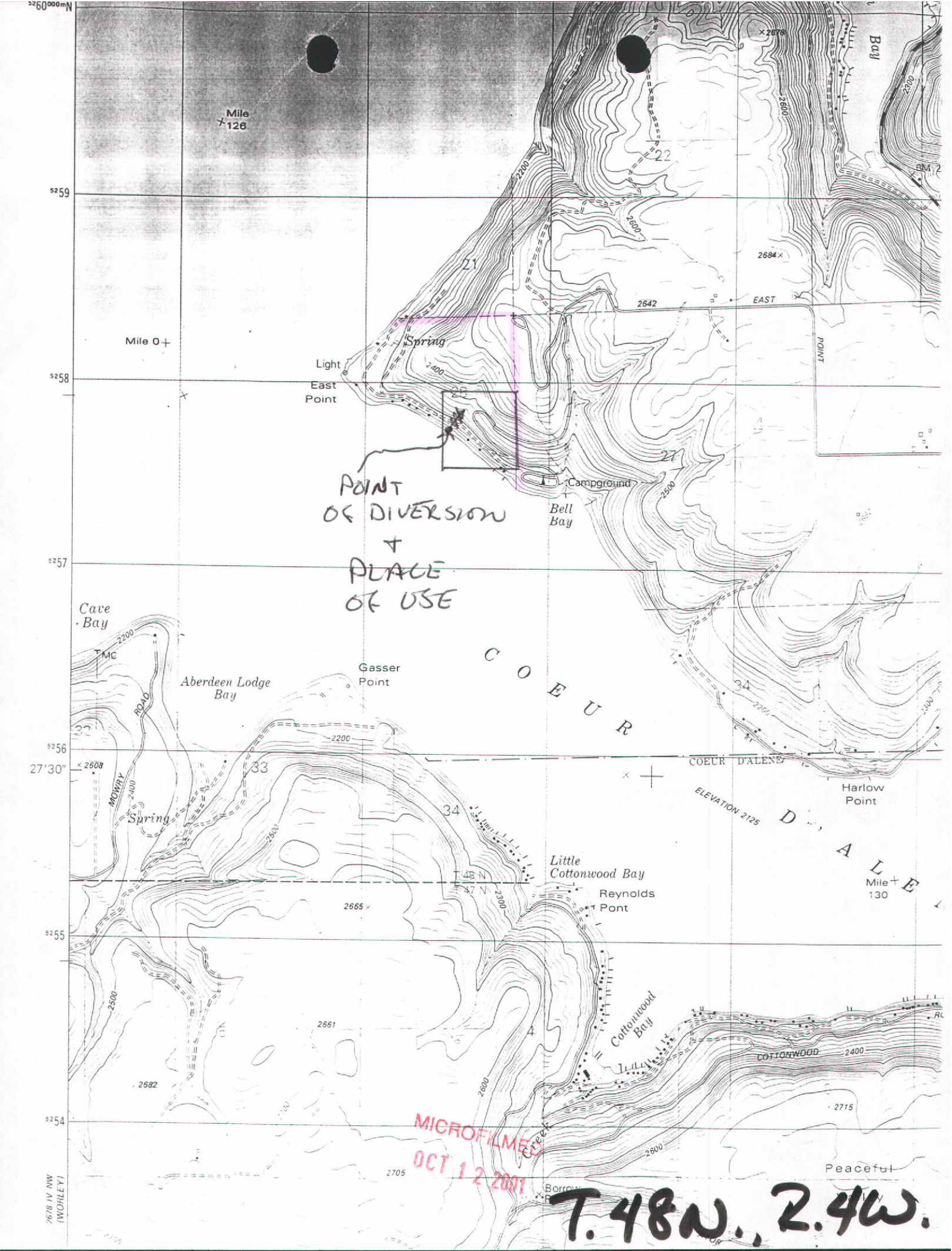




POINT
OF DIVERSION

PLACE
OF USE

T. 48N., 2.4W.

RECEIVED

JUL 26 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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.

1. Permit No. 95-09032 Telephone No. (208) 689-9050 / (206) 842-8593

2. Name of Permit Holder(s):

Paul C. Plett or Sheryl E. Plett

3. Mailing Address: P.O. Box 11404

City Bainbridge Island State WA Zip 98110

4. Source of Water: Coeur d'Alene Lake 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): 2 ac Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: _____ 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 _____

Minimal irrigation and fire protection- unknown

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Sheryl Plett Telephone Number: (206) 842-8593

Address: We live in seattle this is a part time home

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: _____

(include your title, if on behalf of company or organization)

Date: 7-23-01

MICROFILMED

JUL 26 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

NOV 14 2000

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 95-09032

Name(s) of Permit Holder: Paul C. Plett and Sheryl E. Pleyy

Address: P.O. Box 11404 City Bainbridge Island State WA Zip 98110

Telephone No. (206) 780-0329 Date Proof is Due: 1-1-01

RECEIVED

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

DEC 04 2000

We have purchased all the material to complete the system Department of Water Resources

Costing \$ 1,500.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We still need to hire someone to dig the trench. We will have
this done by the above date. We then need to connect the electric
power for the pump.

Permit holder(s) request an extension to June 30, 20 01

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use is
extended to January 1, 2002.

Signed this 8th day of December MICROFILMED

L. Glen Saxton
L. Glen Saxton, Chief
Water Allocation Bureau

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09032

Priority: October 8, 1999

Maximum Diversion Rate:

0.02 CFS

This is to certify, that PAUL C PLETT

PO BOX 11404

WINSLOW WA 98110

has applied for a permit to appropriate water from:

COEUR D ALENE LAKE

tributary of SPOKANE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 10/31	0.02 CFS
FIRE PROTECTION	01/01 to 12/31	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SENE), Sec. 28, Township 48N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
48N 04W 28	Lot 2 (SENE)	0.3		0.3

Total number of acres irrigated: 0.3

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before January 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
5. 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.

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

17th day of January, 2000.

[Signature]
for Karl J. Dreher, Director

MICROFILMED

DEC 12 1999

RECEIVED

JAN 07 2000

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

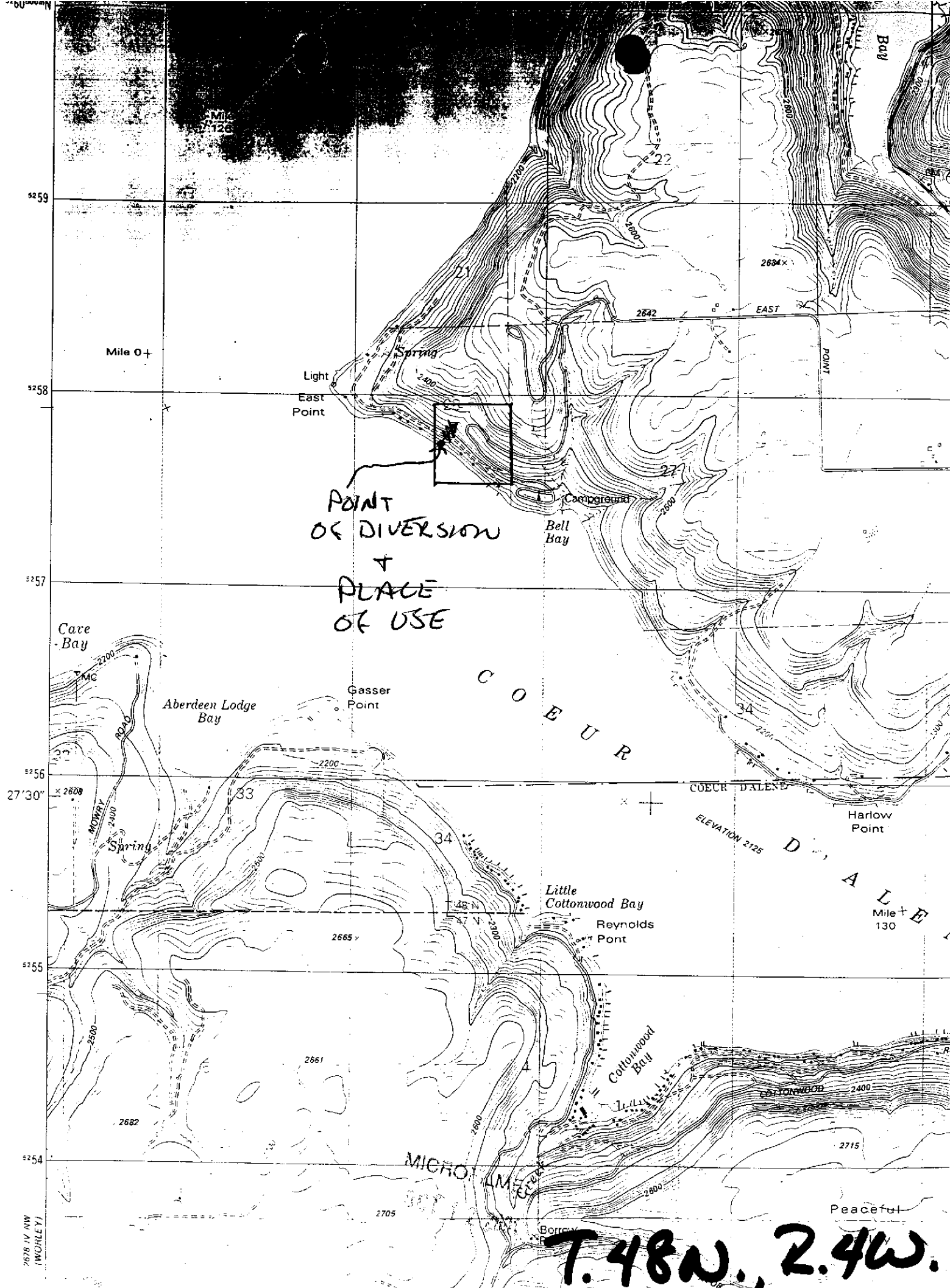
To appropriate the public waters of the State of Idaho

Ident. No. 95-09032

1. Name of Applicant PAUL C. PLETT Phone (206) 780-0329
 Mailing address P.O. BOX 11404, WINSLOW, WASHINGTON 98110
2. Source of water supply LAKE COEUR D'ALENE which is a tributary of SPOKANE RIVER
3. Location of point of diversion is Township 48N Range 4W Sec. 28 in the SE 1/4, NE 1/4, Govt. Lot 2, B.M., KOOTENAI County;
 additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|---|--|
| Amount <u>0.02</u> for <u>IRRIGATION</u>
(cfs or acre-feet per annum) | purposes from <u>MAR 15</u> to <u>11/15</u> (both dates inclusive) |
| Amount <u>0.02</u> for <u>FIRE PROTECTION</u>
(cfs or acre-feet per annum) | purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____
(cfs or acre-feet per annum) | purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____
(cfs or acre-feet per annum) | purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____
(cfs or acre-feet per annum) | purposes from _____ to _____ (both dates inclusive) |
| Amount _____ for _____
(cfs or acre-feet per annum) | purposes from _____ to _____ (both dates inclusive) |
5. Total quantity to be appropriated is (a) 0.02 and/or (b) 20
 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 3/4 horsepower pump
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
 Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. IRRIGATION & FIRE PREVENTION

MICROFILMED

OCT 12 2001





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

July 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

PAUL C PLETT
SHERYL E PLETT
PO BOX 11404
BAINBRIDGE ISLAND WA 98110

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09032

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

If you have questions concerning the field examination, please contact the Northern Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

AUG 1 2 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9032

Reviewed By: dgibson

Date: July 27, 2001

	<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.:		N013287, C055140	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		07/26/2001
Date proof due	-	01/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/08/1999
New priority date	=	10/08/1999

Deficiencies of Actions Items

Acknowledge proof. Update address.



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

December 8, 2000

KARL J. DREHER
DIRECTOR

PAUL C PLETT
PO BOX 11404
WINSLOW WA 98110

RE: PERMIT NO. 95-09032

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use of water to **January 1, 2002**.

Please note that the department granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department may not be able to grant additional extensions based on due diligence.

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. 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.

Please feel free to contact the department if you have questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

DEC 12 2000

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 95-09032 Reviewed by D. Gibson Date 12/7/00

BASIC INFORMATION

12/4/00 Date stamp received
Yes Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
No Address Change

BASIS FOR EXTENSION REQUEST

Yes Has adequate work been completed to demonstrate due diligence?
No Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
No Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Approve extension & change proof date to 1/1/02.

PRIORITY CALCULATION

Date extension received	<u>12/4/00</u>	=	<u>/</u>
Proof due date	<u>1/1/01</u>	=	<u>/</u>
Number of days late	<u>/</u>	=	<u>/</u>
Priority date	<u>/</u>	=	<u>/</u>
New Priority Date	<u>/</u>	=	<u>/</u>

DATA ENTRY

New Address No
Change Proof Due Date 1/1/02
Change Priority Date No

Idaho Department of Water Resources Receipt

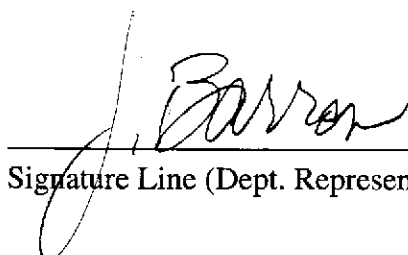
Receipt ID C051343

Payment Amount	\$50.00	Date Received	12/4/00 2:22:10 PM	Region	State	Status
Payment Type	Check	Check Number	8374			

Payer	PLETT, SHERYL
Comment	95-09032

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	EXTENSIONS	0229	21	56103	1155


Signature Line (Dept. Representative)

MICROFILMED

OCT 12 2001



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

November 15, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PAUL C PLETT
PO BOX 11404
WINSLOW WA 98110

RE: Permit No. 95-9032

Dear Permit Holder:

Enclosed is a copy of the Request for Extension of Time you submitted to the department in connection with the above referenced water right. In order for the department to take action on the extension request, it must be accompanied by a \$50.00 filing fee.

Please return the enclosed copy along with the filing fee, addressed to my attention. It is important that I receive your filing fee before the proof of beneficial use deadline of January 1, 2001, to avoid affecting your priority date of this permit.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

MICROFILMED

OCT 12 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

RECEIVED

NOV 14 2000

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 95-09032

Name(s) of Permit Holder: Paul C. Plett and Sheryl E. Pleyy

Address: P.O. Box 11404 City Bainbridge Island State WA Zip 98110

Telephone No. (206) 780-0329 Date Proof is Due: 1-1-01

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

We have purchased all the material to complete the system

_____ Costing \$ 1,500.00

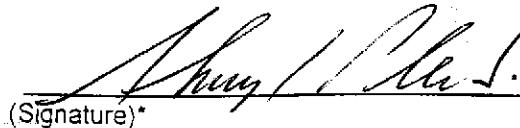
The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

We still need to hire someone to dig the trench. We will have

this done by the above date. We then need to connect the electric

power for the pump.

Permit holder(s) request an extension to June 30, 20 01



(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

MICROFILMED

OCT 12 2001

Signed this _____ day of _____, 20 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may be granted one or more extensions of time even though no work has been accomplished:

- When there is a lack of a required consent or final approval from a federal government agency (**evidence of delay must be submitted with the request**), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
- When litigation related to title of the water has prevented development of the permit (**evidence must be submitted with the request**).
- When the water project is of a large scale — storage of more than 10,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
- When the water right permit is held by the United States of America (**reason for request must be submitted**).

A non-refundable filing fee of \$50.00 must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect.

MICROFILMED

JUL 12 2004

October 31, 2000

PAUL C PLETT
PO BOX 11404
WINSLOW WA 98110

PROOF DUE NOTICE

RE: PERMIT NO. 95-09032

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 January 1, 2001.

(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.

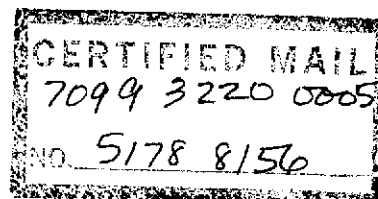
SINCERELY,

DEBORAH GIBSON
Administrative Assistant

Enclosures

MICROFILMED

OCT 12 2001





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

January 18, 2000

PAUL C PLETT
PO BOX 11404
WINSLOW WA 98110

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09032

Dear Permit Holder:

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

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
OCT 12 2000

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of January, 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. 95-09032

PAUL C PLETT
PO BOX 11404
WINSLOW WA 98110


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 12 2001

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a 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 a 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.

MICROFILMED
OCT 12 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 11/13/00

No. 95-09032 Name: Plett Corp. Officers N/A Ad ok ☒ Govt Lots ☒

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
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: 1/01/2001

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
In/Above MSF - WB9
PLANNING SECTION 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 (2400 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼ - 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 pd intended - 076

IRRIGATION SEASON 3/15 - 10/31 (Per updated map)

OTHER CONDITIONS/REMARKS

COMMENTS

RECEIVED

JAN 07 2000

Memorandum

Department of Water Resources

Date: January 5, 2000

To: File 95-09032

From: Al Beardslee

RE: Surface water approval from Idaho Fish and Game Dept.

~~~~~  
A notice was faxed to Chip Corsi of the Panhandle Fish and Game Office on 12/13/99 that final comments would be accepted for the approval of this filing through 12/23/99. No negative reply was received from him.

MICROFILMED  
JAN 12 2000

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

**RECEIVED**

WRI  
SLA  
WRA

JAN 7 2000

APPLICATION # 95-09032

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

**RECEIVED**

APPLICANT: PLETT JAN 07 2000

BY: TS DATE: 10/8/99

**ITEM REQUIRED INFORMATION**

1. (x) Name and Address Department of Water Resources
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)

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

**PROCESSING**

- (Yes) (No) PRIORITY DATE: 10/8/99
- (Include Moratorium Remark)
  - 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: | TAG #     | Type:                             | Fees                      | Receipt No.       | Upgrade Needed? |
|------------------|-----------|-----------------------------------|---------------------------|-------------------|-----------------|
| <u>  </u>        | <u>  </u> | Dom. <u>  </u> Non-Dom. <u>  </u> | Paid \$ <u>          </u> | <u>          </u> | Y ( ) N ( )     |
| <u>  </u>        | <u>  </u> | Dom. <u>  </u> Non-Dom. <u>  </u> | Paid \$ <u>          </u> | <u>          </u> | Y ( ) N ( )     |
| <u>  </u>        | <u>  </u> | Dom. <u>  </u> Non-Dom. <u>  </u> | Paid \$ <u>          </u> | <u>          </u> | 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
- Affidavit of publication received
- Application published correctly. If not, record action taken:
- Publication dates and paper recorded on application | Sr. Agent initial
- Protests received, Final protest date: 11/22/99
- Measuring device required
- Measuring port required
- Special conditions:
- Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by:                                      Date:       /      /

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
County of Kootenai,

} ss.

*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 *4* day of *November*, 19*99*, and ending on the *11* day of *November*, 19*99*, 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 *11* day of *November*, 19*99*.

*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:

95-09032

PLETT, PAUL C  
PO BOX 11404  
WINSLOW, WA 98110  
Source: COEUR D ALENE LAKE  
Diversion Pt: LOT 2 (SENE)  
Use: IRRIGATION  
FIRE PROTECTION

Tributary: SPOKANE RIVER  
Sec 28 T 48N R 04W in KOOTENAI County.

(0.020 CFS)  
(0.020 CFS)  
(0.020 CFS)

Date Filed: 10/8/1999  
In: KOOTENAI County  
T48N R04W S28 Lot 2(SENE)

0.3 ACRES TOTAL

HANSEN, RICHARD  
PO BOX 8  
BAYVIEW, ID 83803  
Source: SPRING  
Diversion Pt: SENE  
Use: DOMESTIC

96-09033

Tributary: BOTTENFIELD CREEK  
Sec 1 T 53N R 05W in KOOTENAI County.  
(0.040 CFS)  
(0.040 CFS)

Date Filed: 10/22/1999  
In: KOOTENAI County  
T53N R05W S01 SENE

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 NOVEMBER 22, 1999.

Legal 118  
November 4, 11, 1999

KARL J. DREHER, Director

RECEIVED

NOV 16 1999

IDWA 11/16/99

FILED

OCT 12 2001

95-09032

PLETT, PAUL C  
PO BOX 11404  
WINSLOW, WA 98110

Source: COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

Diversion Pt: LOT 2 (SENE) Sec 28 T 48N R 04W in KOOTENAI County.

|                  |   |            |
|------------------|---|------------|
| Use: IRRIGATION  | ( | 0.020 CFS) |
| FIRE PROTECTION  | ( | 0.020 CFS) |
| Total Diversion: | ( | 0.020 CFS) |

Date Filed: 10/ 8/1999

In: KOOTENAI County  
T48N R04W S28 Lot 2(SENE)

0.3 ACRES TOTAL

MICROFILMED  
OCT 12 2000

October 27, 1999

Paul C. Plett  
PO Box 11404  
Winslow WA 98110

Re: Water Appropriation Application No. 95-09032

Dear Mr. Plett:

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

MICROFILMED

OCT 12 2000