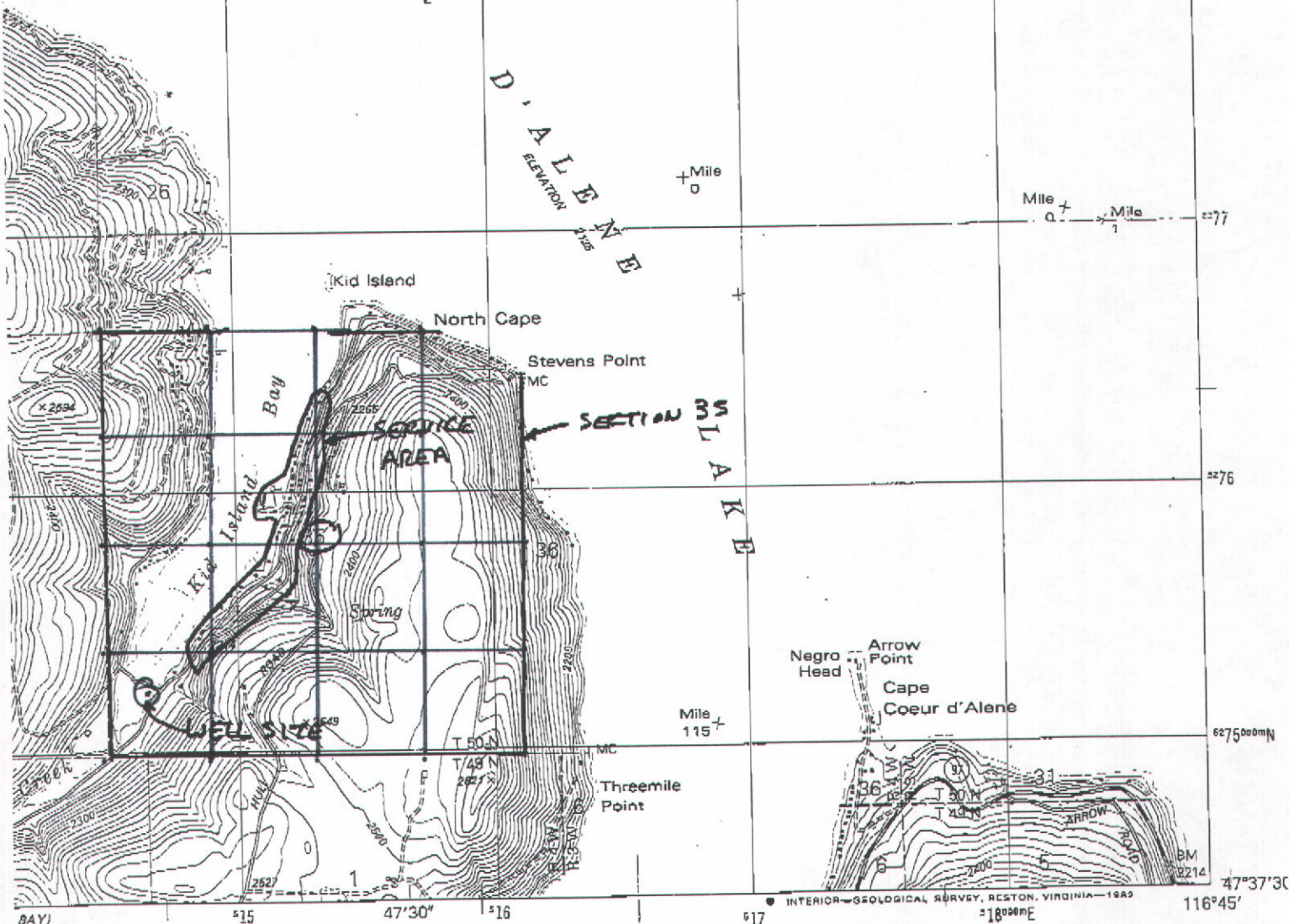


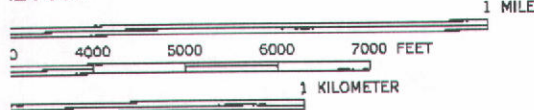
Donavon's
PointJasco
Bay

COEUR

D'ALENE



24 000



VERTICAL DATUM OF 1929
 HORIZONTAL DATUM OF 1929

NATIONAL MAP ACCURACY STANDARDS
 COLORADO 80225, OR RESTON, VIRGINIA 22092
 AND SYMBOLS IS AVAILABLE ON REQUEST

MICROFILMED

APR 11 2001

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface, _____
 Secondary highway, hard surface _____ Unimproved road, _____

Interstate Route U. S. Route State Route

COEUR D'ALENE, IDAHO

NE/4 COEUR D'ALENE 15' QUADRANGLE
 N4737.5-W11645/7.5

1981

DMA 2679 III NE-SERIES V803

Tasco
Bay

95-09026

CONFIDENTIAL

ALB
ELEVATION

+ Mile
0

Mile $\frac{1}{2}$ Mil

(Kid Island)

North Cape

Stevens Point
MC

Source
Area

SECTION 39
T
A

Spring

Mile $\frac{1}{2}$

Negro
Head

Arrow
Point

Cape
Coeur d'Alene

DAY! 15 47'30" 16
19 SE

24 000

RVAL 20 FEET
OUR INTERVAL 10 FEET
RTICAL DATUM OF 1929

NAL MAP ACCURACY STANDARDS
 , COLORADO 80225, OR RESTON, VIRGINIA 22092
 AND SYMBOLS IS AVAILABLE ON REQUEST

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface _____
Secondary highway, hard surface _____ Unimproved road _____
☐ Interstate Route ☐ U. S. Route ☐ State Route



QUADRANGLE LOCATION

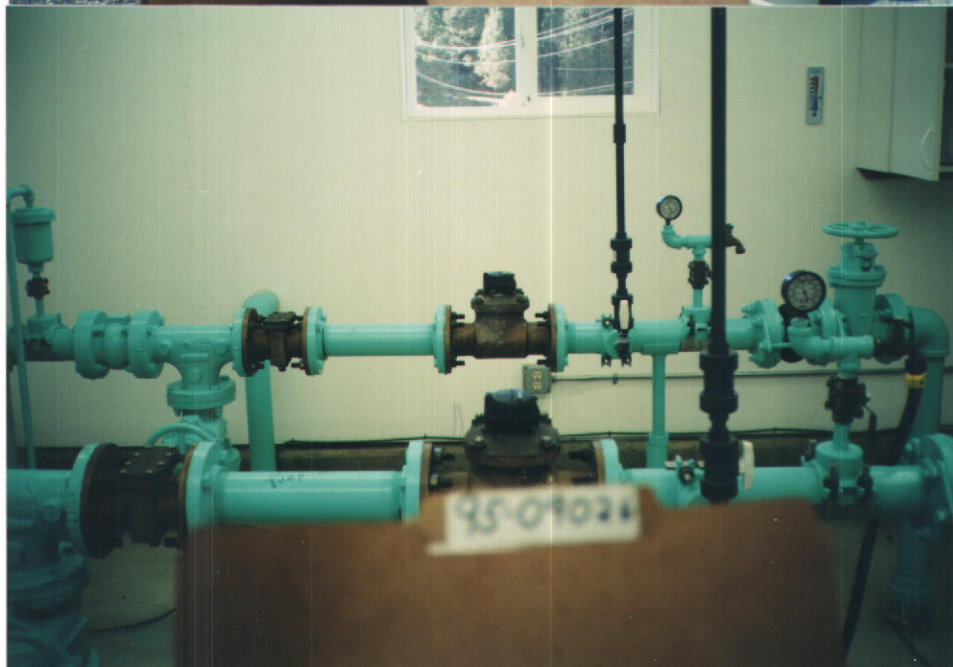
MICROFILMED
NOV 26 2003

COEUR D'ALENE, IDAHO

NE/4 COEUR D'ALENE 15' QUADRANGLE
N4737.5-W11645/7.5

1981

DMA 2679 III NE ~~SERIES~~ V883



95-09026

MICROFILMED
NOV 26 2003

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 10/13/99

No. 95-09026 Name: KIBWUA Corp. Officers ✓see comment 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) - 065-079
Supp-irr (+ other uses) - 100-101
≤ 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

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**

BENEFICIAL USE DUE: 1 / 01 / 2002

MISC CONDITIONS/REMARKS:

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

Multiple pd's per 1/4 - W32 2
Subd lot desc (pd) - W59 Lot 3
Subd lot desc (pu) - W60 ?

OTHER CONDITIONS/REMARKS 1/75 homes. ok

COMMENTS run subd xcel spreadsheet

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09026

Priority: August 09, 1999

Maximum Diversion Rate: 0.16 CFS
Maximum Diversion Volume: 116.0 AF

It is hereby certified that KIDD ISLAND BAY WATER USERS COOP ASSN
PO BOX 2265
COEUR D ALENE ID 83816-2265 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated August 09, 1999; and has
submitted Proof of Beneficial Use on February 07, 2001. An examination indicates that the works have
a diversion capacity of 0.32 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.16 CFS	116.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 35, Twp 50N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 35, Twp 50N, Rge 04W, B.M., KOOTENAI County

CONDITIONS OF APPROVAL

1. Place of use is within the area served by the public water supply system of Kidd Island Bay Water Users Association. The place of use is generally located within Section 35, Twp. 50N, Rge. 04W.
2. Points of diversion are located within Lot 3, Kidd Island Bay.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 9th day of June, 2003.


for **KARL J. DREHER**
Director

MICROFILMED

NOV 2 5 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-09026

RECEIVED

JUN - 6 2003

Department of Water Resources

Date of Priority: August 09, 1999

Maximum Diversion Rate: 0.16 CFS

Maximum Diversion Volume: 116.0 AF

Comes now KIDD ISLAND BAY WATER USERS COOP ASSN
PO BOX 2265

COEUR D ALENE ID 83816-2265 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. 95-09026, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.16 CFS	116.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 35, Twp 50N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 35, Twp 50N, Rge 04W, B.M., KOOTENAI County

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 this 2 day of June, 2003.

James W. Babb Pres.
(Signature)

MICROFILMED

NOV 26 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-09026

RECEIVED

JUN - 6 2003

Department of Water Resources

FOR DEPARTMENT USE ONLY

Preliminary check by *JD* Fee = \$50.00 Received by JM # C068945 Date 05/06/2003

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. 95-09026 with the following:

CONDITIONS OF APPROVAL

1. Place of use is within the area served by the public water supply system of Kidd Island Bay Water Users Association. The place of use is generally located within Section 35, Twp. 50N, Rge. 04W.
2. Points of diversion are located within Lot 3, Kidd Island Bay.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.

Witness my hand this 9th day of June, 2003.

for

K. J. Dreher
KARL J. DREHER
Director

MICROFILMED

NOV 26 2003

RECEIVED

FEB - 7 2001

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00
Receipt No: CD52178
Receipt By: [Signature]
Date Received: 2-7-01

RECEIVED Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JAN 24 2001

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. 95-09026 Telephone No. (208) 667-6105

2. Name of Permit Holder(s): KIDD ISLAND BAY WATER USERS ASSN

3. Mailing Address: P.O. Box 2265

City COEUR D'ALENE State ID Zip 83816

4. Source of Water: GROUND If GROUNDWATER (well), Date Drilled: mo. 9 / yr. 98

Well Driller: H2O WELL SERVICE #0448 Drilling Permit Number: 95 - 99 - N - 108 -
IDWR# 95-08947

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

Domestic (No. of households): up to 75 NTE Stockwater (No. and type of stock): _____

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

6. Total rate of diversion and/or volume for which proof is submitted: 0.16 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: \$ _____ (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: JIM BABB Telephone Number: (208) 667-6105

Address: W 3765 BAY SHORE COURT COEUR D'ALENE, ID. 83814 (old address W 319 Kidd Island Rd.)

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: James W. Babb Pres. Date: 1/19/01
(include your title, if on behalf of company or organization)

MICROFILMED

FEB 1 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09026

Priority: 08/09/1999

Maximum Diversion Rate: 0.16 CFS

This is to certify, that KIDD ISLAND BAY WATER USERS ASSN
PO BOX 2265
COEUR D ALENE ID 83816

has applied for a permit to appropriate water from:

GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.08 CFS
DOMESTIC	01/01 TO 12/31	0.08 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW1/4SW1/4 Sec. 35, Twp 50N, Rge 04W, B.M. KOOTENAI County

PLACE OF USE: IRRIGATION

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 35		4.0	10.0		2.0			15.0	20.0	2.0	3.0					56.0	

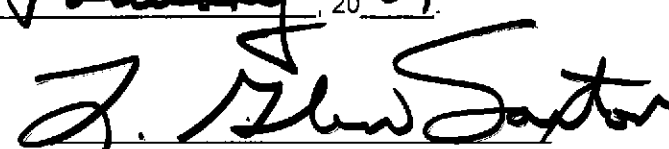
Total Acres: 56

PLACE OF USE: DOMESTIC, Same as Irrigation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before January 01, 2002.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. Domestic use is for 75 homes and does not include lawn, garden, landscape, or other types of irrigation.
7. Point of diversion is located within Lot 3, Kidd Island Bay.
8. Two points of diversion are located within SWSW, S35, T50N, R4W.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 3rd day of January, 2001.


KARL J DREHER, Director

for
MICROFILMED

APR 11 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR PERMIT **RECEIVED**
OCT 12 1999To appropriate the public waters of the State of Idaho
Department of Water Resources

1. Name of Applicant Kidd Island Bay Water Users Association Phone (208) 667-6105
Mailing address P.O. Box 2265, Coeur d'Alene, Idaho 83816
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 50 N. Range 4 W Sec. 35 in the NW 1/4,
SW 1/4, SW 1/4, Govt. Lot _____, B.M., Kootenai County;
additional points of diversion if any: (2 PTS OF DIVERSION)
4. Water will be used for the following purposes:
- | | | |
|--|---|------------------------|
| Amount <u>0.08 cfs</u> for <u>Domestic</u> | purposes from <u>1/1</u> to <u>12/31</u> | (both dates inclusive) |
| (cfs or acre-feet per annum) | | |
| Amount <u>0.08 cfs</u> for <u>Irrigation</u> | purposes from <u>3/15</u> to <u>11/15</u> | (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) 0.16 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 ground water well with
submersible pump.
- b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
- c. Proposed well diameter is 8 inches; proposed depth of well is 135 feet
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? 7/99; Drilling firm H₂O Well Service
Well was drilled for (well owner) Kidd Island Bay Water Users; 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. 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. 75 Households
- e. Other; describe fully. N/A

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APR 11 2001

8. Description of place of use:

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

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

TWP	RGE	SEC	N E				N W				S W -				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	4W	35	--	4	10	--	2	--	--	15	20	2	3	--	--	--	--	--	56
				D	D		D			D	D	D							

Total number of acres to be irrigated 56

10. Describe any other water rights used for the same purposes as described above. N/A

11. a. Who owns the property at the point of diversion? Red Frushour

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Applicant has an Agreement to purchase from Owner.

12. Remarks: _____

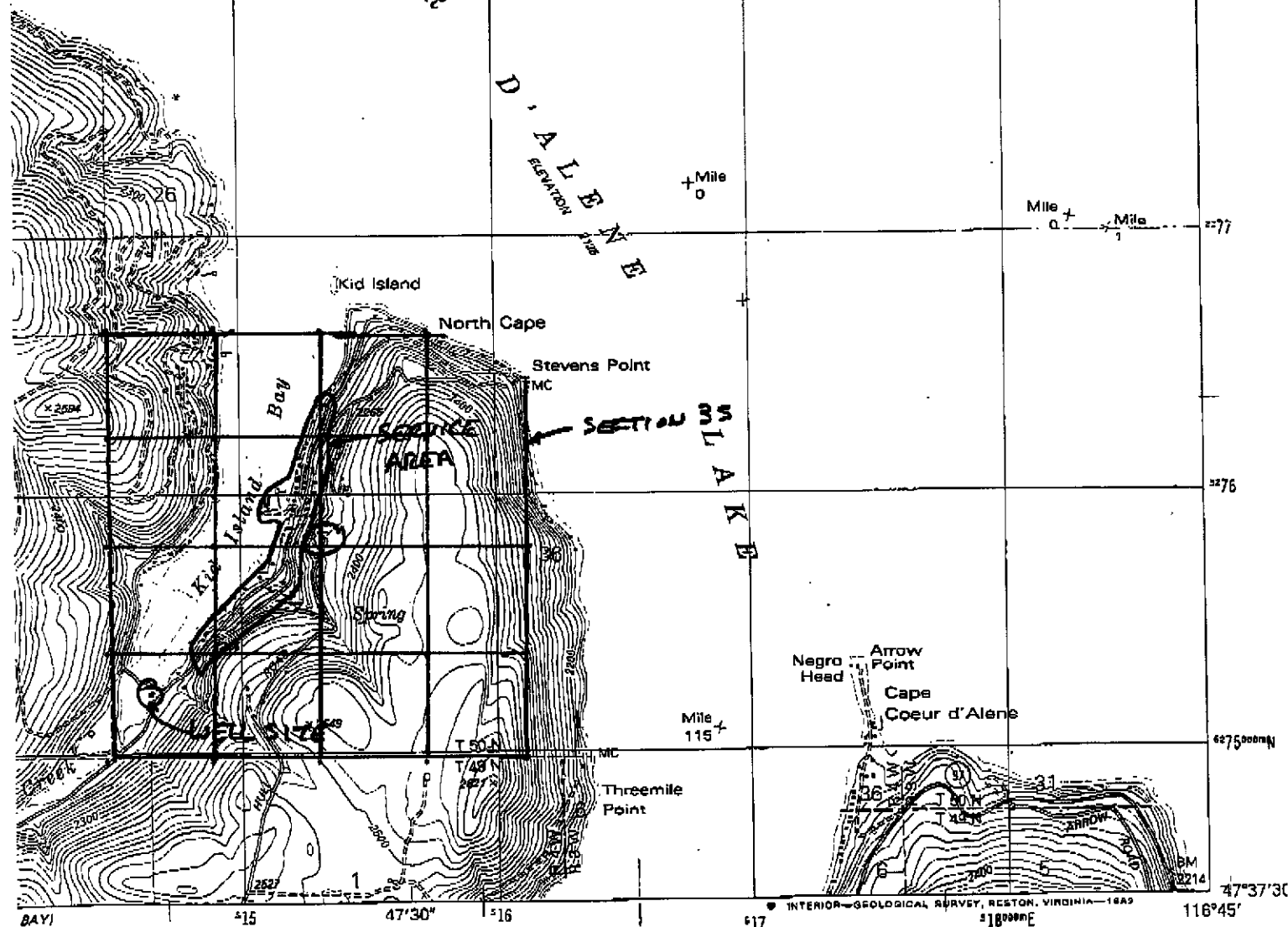
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

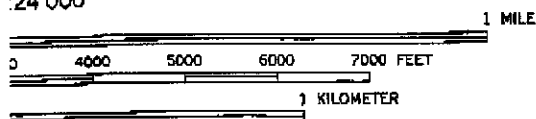
James K. Babb
Signature of Applicant (and title, if applicable)

Received by AS Date 8-9-99 Time 4:00 Preliminary check by TS
Fee \$ 50- Receipted by TR # 10013134 Date 8-9-99
Publication prepared by 6 Date 8/25/99 Published in CPA News 9/2 + 9/99
Publication approved 6 Date 9/14/99

APR 11 2001

Donavon's
PointJasco
Bay

24 000



RVAL 20 FEET
OUR INTERVAL 10 FEET
TICAL DATUM OF 1929

VAL MAP ACCURACY STANDARDS
COLORADO 80225, OR RESTON, VIRGINIA 22092
AND SYMBOLS IS AVAILABLE ON REQUEST

QUADRANGLE LOCATION
IDAH0

APR 11 2001

ROAD CLASSIFICATION

Primary highway, hard surface _____ Light-duty road, hard or improved surface, _____
Secondary highway, hard surface _____ Unimproved road, _____
○ Interstate Route □ U. S. Route ○ State Route

COEUR D'ALENE, IDAHO

NE/4 COEUR D'ALENE 15' QUADRANGLE
N4737.5-W11645/7.5

1981

DMA 2679 III NE-SERIES V693

Post-it® Fax Note	7671	Date	# of pages ▶
To AI BEARDSLEY	From STEVE JAMES		
Co./Dept.	Co. JUB		
Phone # 769-1450	Phone # 667-1574		
Fax # 769-1454	Fax # 667-2176		

AI,
call if you need anything
else
-SPJ

KIDD IS WATER SYSTEM



Engineers Surveyors Planners

ENGINEER

J-U-B ENGINEERS, INC.

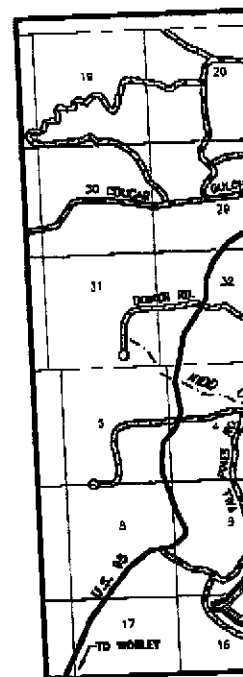
1250 West Ironwood Drive, Suite 220 • Coeur d'Alene, Idaho 83814
Telephone (208) 667-1574
Fax (208) 667-2176

OWNER

**KIDD ISLAND BAY
WATER USERS ASSOCIATION**

PRESIDENT
SECRETARY/TREASURER
BOARD MEMBER
BOARD MEMBER
BOARD MEMBER
BOARD MEMBER
BOARD MEMBER

JIM BABB
JOSIE PATTON
JIM RUYF
MIKE O'HALLORAN
STEVE WHITACRE
GLENN GUSA
BILL FLERCHINGER



VIC

BY: _____
DATE: _____

MICHO...

APR 1 1 2000

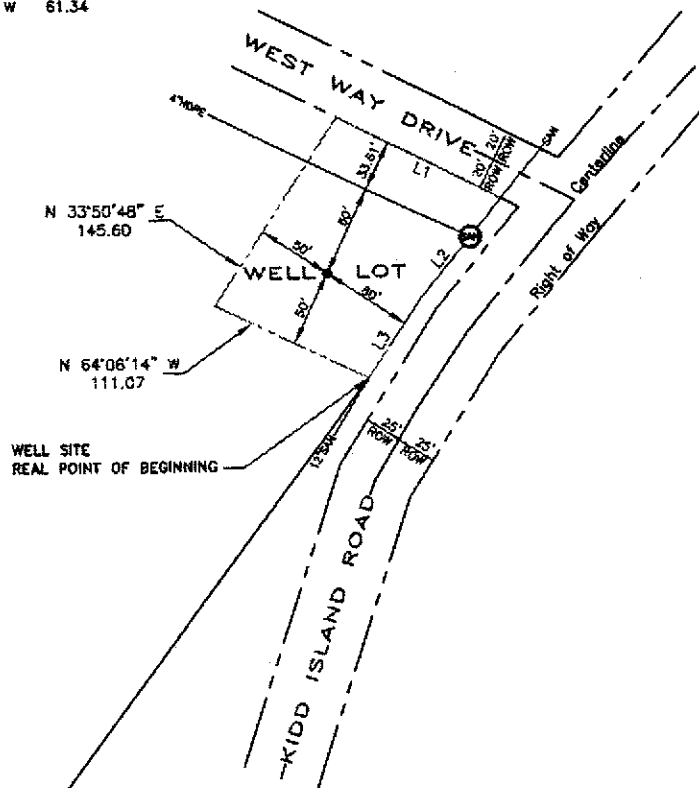
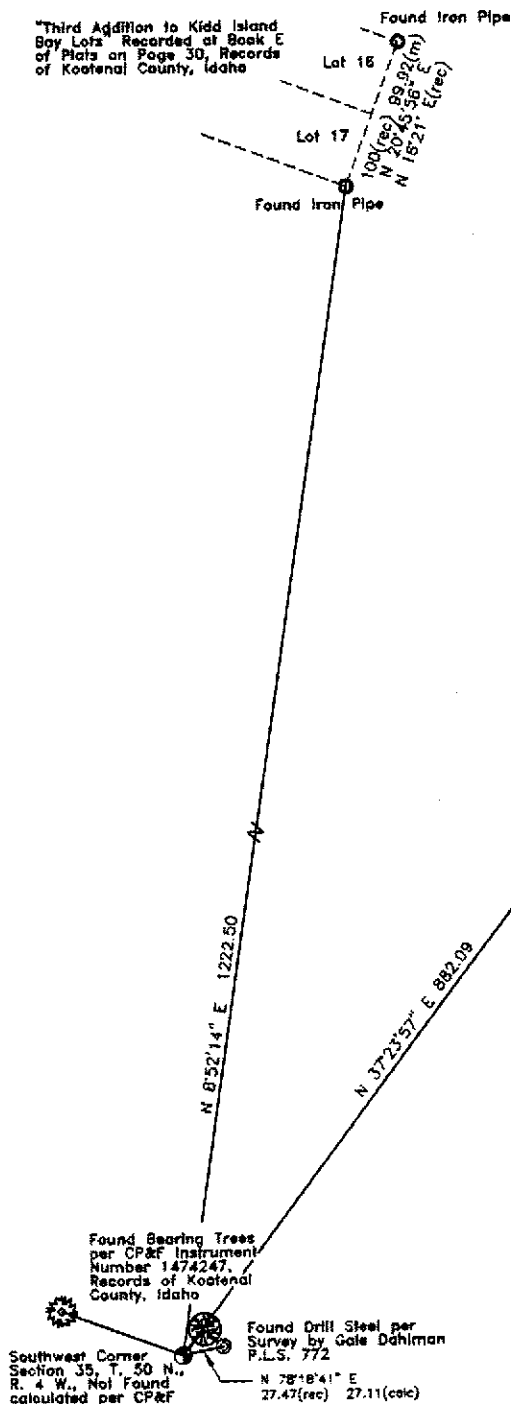
F:\PROJECTS\20007\20007-01\DWGS\00701-COV.dwg Thu Jul 15 14:57:55 1999 TLR

EXHIBIT D

LINE TABLE

LINE	BEARING	DISTANCE
L1	S5°05'12" E	119.17
L2	S3°50'18" W	83.69
L3	S3°50'48" W	61.34

"Third Addition to Kidd Island Bay Lots" Recorded at Book E of Plats on Page 30, Records of Kootenai County, Idaho



LEGEND

- Section Corner (Not Found)
- Iron Pipe Found
- Drill Steel Found
- Staked Well Location
- Bearing Tree (Tamarack)
- Bearing Tree (Alder)
- 27.47(rec) Record Distance
- 27.11(calc) Calculated Distance
- 27.11(m) Measured Distance
- Pressure Sanitary Sewer Line
- Gravity Sanitary Sewer Line
- Sanitary Sewer Manhole

KIDD ISLAND BAY WATER WELL SITE AND EASEMENT

JUB

Engineers Surveyors Planners

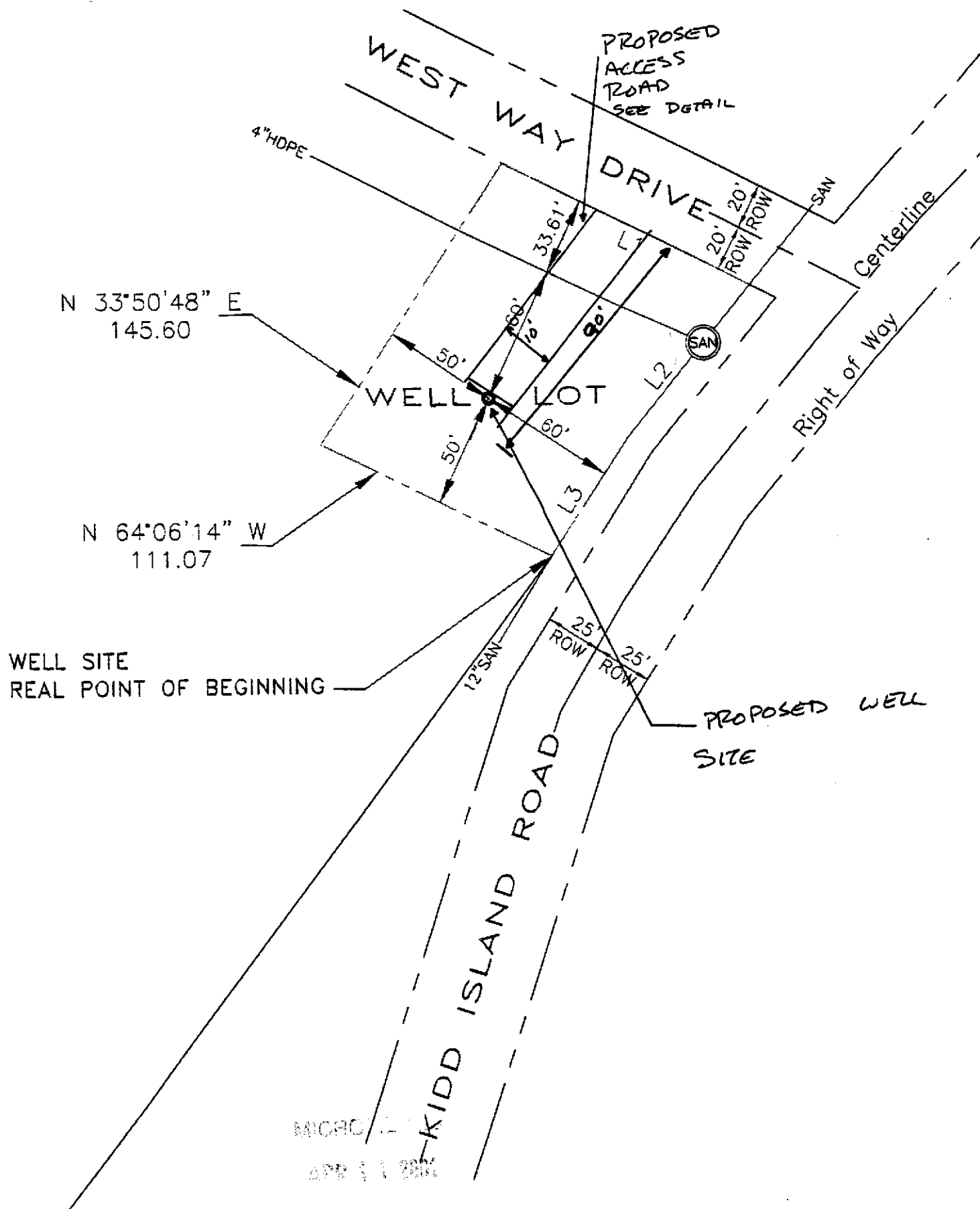
J-U-B ENGINEERS, INC.
Engineers Surveyors Planners
Coeur d'Alene, Idaho

MICROFILM

APR 1 1981

			1	1
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KIDD
ISLAND
BAY





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

June 9, 2003

KIDD ISLAND BAY WATER USERS COOP ASSN
PO BOX 2265
COEUR D ALENE ID 83816-2265

RE: License No. 95-9026 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

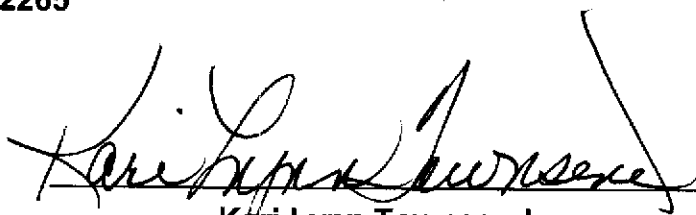
NOV 18 2003

CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 95-9026

**KIDD ISLAND BAY WATER USERS COOP ASSN
PO BOX 2265
COEUR D ALENE ID 83816-2265**



**Kari Lynn Townsend
Secretary**

MICROFILMED

NOV 28 2003

**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).

MICROFILMED
NOV 26 2003

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.



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

May 8, 2003

KIDD ISLAND BAY WATER USERS COOP ASSN
C/O JIM BABB
PO BOX 2265
COEUR D ALENE ID 83816-2265

RE: Permit No. 95-09026

Dear Mr. Babb:

During final review of the license prepared for signature, we found that we had proposed licensing more volume than your system could produce. In order to correct this discrepancy, we have prepared a corrected licensing amendment for your signature. Please sign it on the bottom of the page as you did previously and return it to me at your earliest convenience. I am sorry if this error has caused you any inconvenience.

There is no additional fee for this "corrected" amendment form. Enclosed is Receipt No. C068945 for the fee submitted for the amendment. If you would like to discuss this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

6-2-03
called & left msg.
for Mr. Babb to
sign "corrected"
amendment form
and return -
KW

MICROFILMED
NOV 26 2003

RECEIVED

MAY - 6 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 95-09026

Date of Priority: August 09, 1999

Maximum Diversion Rate: 0.16 CFS

Maximum Diversion Volume: 213.0 AF

Comes now KIDD ISLAND BAY WATER USERS COOP ASSN
PO BOX 2265

COEUR D ALENE ID 83816-2265 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. 95-09026, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
MUNICIPAL	01/01 to 12/31	0.16 CFS	213.0 AF

LOCATION OF POINTS OF DIVERSION:

GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 35, Twp 50N, Rge 04W, B.M., KOOTENAI County
GROUND WATER	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 35, Twp 50N, Rge 04W, B.M., KOOTENAI County

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 this 15th day of May, 2003.

James W. Bobb Pres.
(Signature & Title)

MICROFILMED

MAY 26 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-09026

FOR DEPARTMENT USE ONLY
Preliminary check by kw Fee = \$50.00 Received by jm # 068945 Date 5/6/03

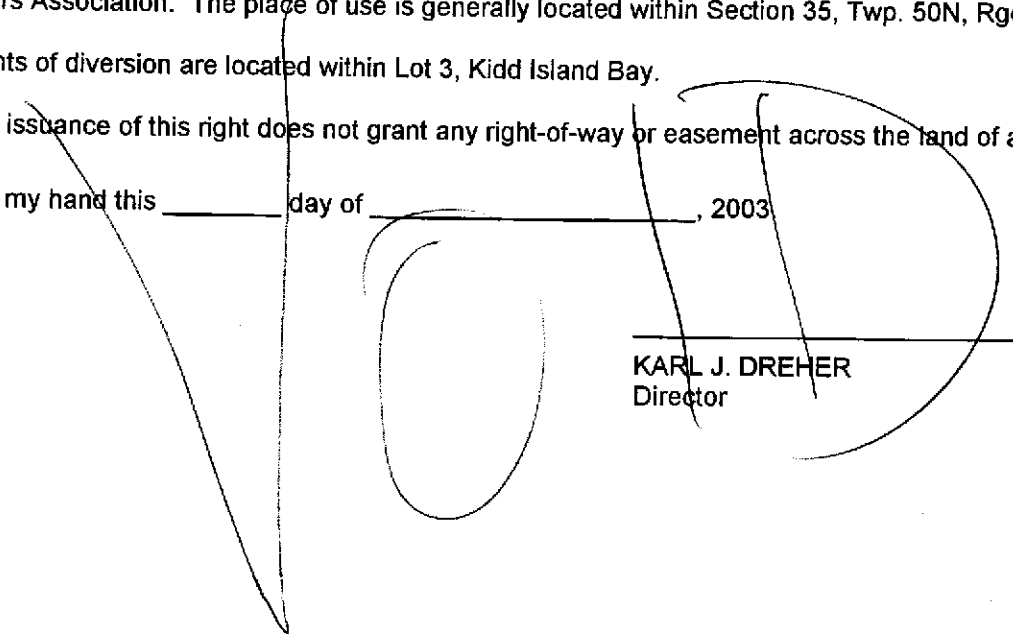
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 95-09026 with the following:

CONDITIONS OF APPROVAL

1. Place of use is within the area served by the public water supply system of Kidd Island Bay Water Users Association. The place of use is generally located within Section 35, Twp. 50N, Rge. 04W.
2. Points of diversion are located within Lot 3, Kidd Island Bay.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.

Witness my hand this _____ day of _____, 2003



KARL J. DREHER
Director

MICROFILMED

NOV 26 2003

Receipt Details for ID C052178

Status	Adjustment Type	Version
		2

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/7/2001 1:14:36 PM	2/7/2001 1:24:57 PM	STATE	\$50.00	Check
Payer		KIDD ISLAND BAY WTR USERS COOP ASSOC		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1005			
Card Expiration Date	Credit Card Transaction #		

Comment WATER PERMIT # 95-09026

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$50.00	BENEFICIAL USE	56104	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

FILE COPY

5/24/03
Our records show
\$50.00 payment on
2/6/01 Beneficial
use
Is this \$50.00 an
ongoing water permit
fee? Thanks for information
Patton 509-624-5220
FAX 509-624-7243

5/6/03
called Ms. Patton
& let her know
about feed - kw

MICROFILMED
NOV 26 2003



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 22, 2003

KIDD ISLAND BAY WATER USERS COOP ASSN
PO BOX 2265
COEUR D ALENE ID 83816-2265

RE: Water Right Permit No. 95-09026

Dear Permit Holders:

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 the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ Other – Examiner recommends licensing for municipal use – see enclosed description of “municipal” for your information.

The enclosed Application for Amendment form depicts the elements of the water right as they 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.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

5-1-03
Jim Babb wants Wayne to
re-visit this place.
does not think they
meet "municipal"
definition. talked to Al-
Babb, Wayne, & figure
out how to
resolve. kw

(208-667-6105)
MICROFILMED
MAY 26 2003

Comment Report

95-9026

1. kwalker 4/21/2003 License Review

Comment: Examiner recommended that we change the nature of use of this permit to municipal use. Since permit was originally issued for domestic use for 75 homes and irrigation of 56 acres, we must apply a volume to the municipal use. $75 \times 0.6 = 45.0$ afa + 56×3.0 (fhr) = 168.0 afa for a total recommended volume of 213.0 afa.

2. DBALL 8/13/1999 Examiners notes.

Comment: POD owned by Red Frushour. Applicant has agreement to purchase from owner. There are two points of diversion as follows: well 95-98-N-0173 and 95-99-N-0108. POU owned by individual owners. Time required 1 year.

3. SCURTIS 10/15/1999 CORPORATE OFFICERS

Comment: Jim Babb - President Josie Patton - Sec/Treasurer Jim Fuyf - Board Member Mike O'Halloran - Board Member Steve Whitacre - Board Member Glenn Gusa - Board Member Bill Flerchinger - Board Member

MICROFILMED

NOV 26 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 28 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-09026

1. Owner: Kidd Island Bay Water Users Assn. Phone No. (208) 667-6105

Current Address: PO Box 2265 Coeur D'Alene Id 83816

2. Accompanied by: Jim Babb EXAM DATE: 8/01/01

Address: W3765 Bay Shore Court Coeur D'Alene Id 83814 Phone No. (208) 667-6105

Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

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
			SW	SW	35	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	35	Within Limits of Kidd Island Bay Water Assn. Per # 1280104																

MICROFILMED

SEP 28 2003

E. NARRATIVE/REMARKS/COMMENTS

These two wells feed an existing system. The old system was lake feed. This sight changes source and point of div. The two wells alternate. Each having a 2 hr shift.

Running test showed 70 gpm on each flow meter.

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

MICROFILMED

NOV 26 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\text{flow meter} = 70 \text{ gpm}$$

$$70 \times 1.35681 = 94.9767$$

$$94.9767 \div 60 = 1.582945$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Thompson

Period of Use
From 01-01
To 12-31

Rate of Diversion
Q (cfs) 1.16

Annual Volume
V (ata) 1.16

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

I. AUTHENTICATION

Field Examiner's Name

Date

Reviewer

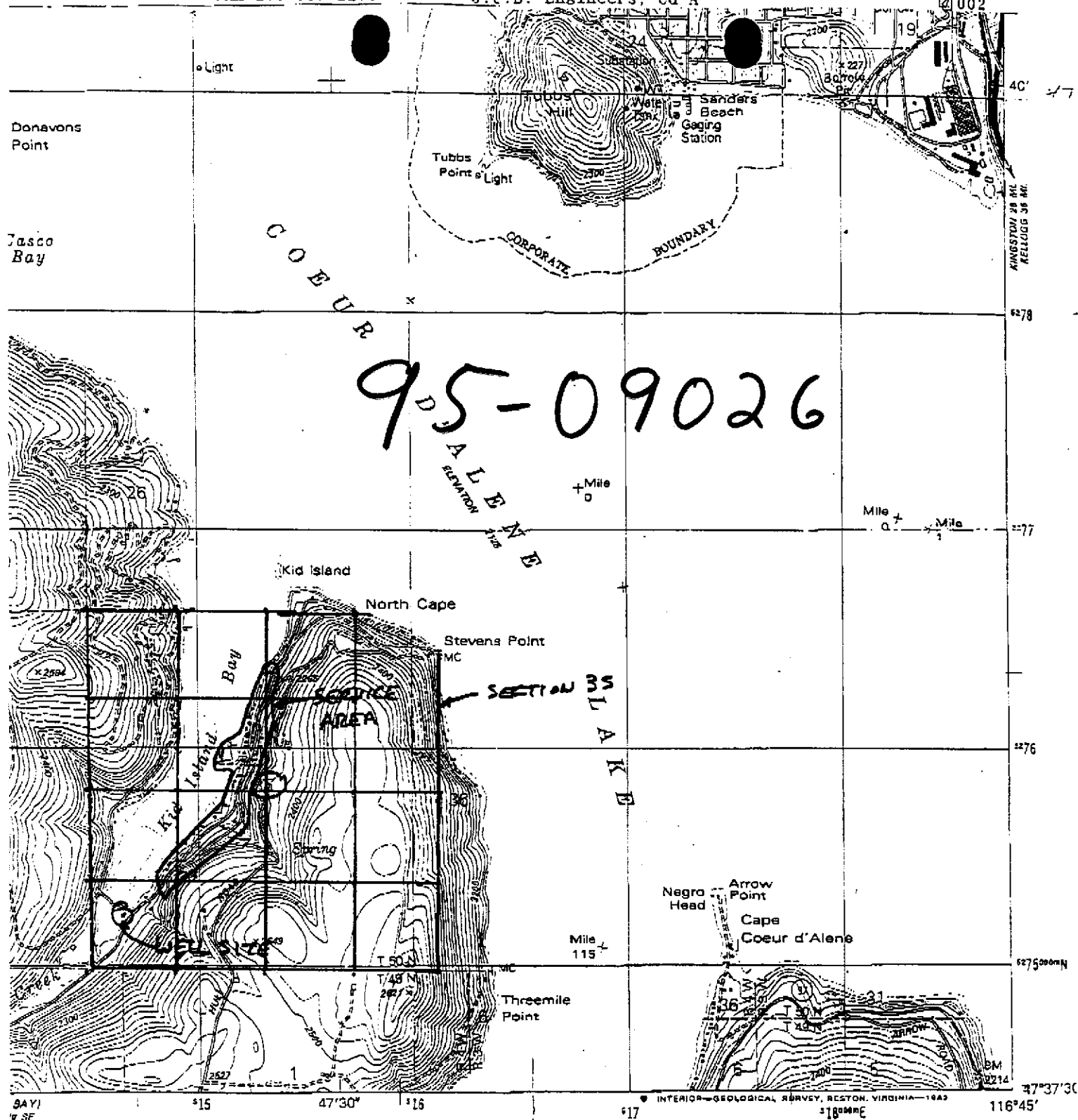
Date 9-26-01

Wagner

MICROFILMED

1997 2 10 2000

SEAL



BAY
SE

24 000

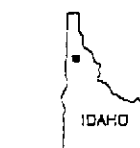
1 MILE

0 4000 5000 6000 7000 FEET

1 KILOMETER

SCALE 20 FEET
HORIZONTAL INTERVAL 10 FEET
VERTICAL DATUM OF 1929

NATIONAL MAP ACCURACY STANDARDS
COLORADO 80225, OR RESTON, VIRGINIA 22092
AND SYMBOLS IS AVAILABLE ON REQUEST



QUADRANGLE LOCATION

MICROFILMED

NOV 28 2003

COEUR D'ALENE, IDAHO

NE/4 COEUR D'ALENE 15' QUADRANGLE

N4737.5-W11645/7.5

1981

DMA 2679 III NE-SERIES V893



95-09026

MICROFILMED

NOV 26 2003



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

February 8, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KIDD ISLAND BAY WATER USERS ASSN
PO BOX 2265
COEUR D'ALENE ID 83816

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09026

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
APR 11 2001

Idaho Department of Water Resources Receipt

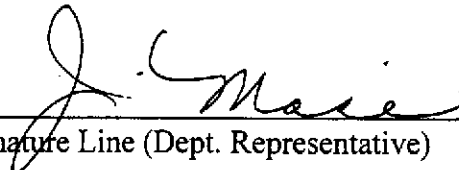
Receipt ID C052178

Payment Amount	\$50.00	Date Received	2/7/01 1:14:36 PM	Region	State	☒	Status	☒
Payment Type	Check	Check Number	1005					

Payer	KIDD ISLAND BAY WTR USERS COOP ASSOC
Comment	WATER PERMIT # 95-09026

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	BENEFICIAL USE	0229	21	56104	1155



Signature Line (Dept. Representative)

MICROFILMED

APR 11 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2001

KIDD ISLAND BAY WATER USERS ASSN
PO BOX 2265
COEUR D'ALENE ID 83816

RE: PERMIT NO. 95-09026

Dear Permit Holder:

Enclosed is a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. Before the department can accept your proof, it must be accompanied by the appropriate license examination fee. Please return the enclosed copy of the proof form along with the \$50.00 license examination fee to my attention.

If you have any questions regarding this matter, please contact me.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR- Region

MICROFILMED

APR 11 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9026

Reviewed By: dgibson

Date: February 8, 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.:		95-99-N-108
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C052178	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		02/07/2001
Date proof due	-	01/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	08/09/1999
New priority date	=	08/09/1999

Deficiencies of Actions Items

Acknowledge proof.

RECEIVED

JAN 24 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. 95-09026 Telephone No. (208) 667-6105

2. Name of Permit Holder(s): KIDD ISLAND BAY WATER USERS ASSN

3. Mailing Address: P.O. Box 2265

City COEUR D'ALENE State ID Zip 83816

4. Source of Water: GROUND If GROUNDWATER (well), Date Drilled: mo. 9 / yr. 98

Well Driller: H2O WELL SERVICE #0448 Drilling Permit Number: 95-99-N-108 -
IDWR# 95-08947

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

Domestic (No. of households): up to 75 NTE Stockwater (No. and type of stock): _____

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

6. Total rate of diversion and/or volume for which proof is submitted: 0.16 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: \$ _____ (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: JIM BABB Telephone Number: (208) 667-6105

Address: W 3765 BAY SHORE COURT COEUR D'ALENE, ID. 83814 (old address W 819 Kidd Island Rd.)

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: James M. Babb Pres.
(include your title, if on behalf of company or organization)

Date: 1/19/01

Form 238-7

7/98

Well Site Consulting and
Management Services

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Office Use Only			
Inspected by _____			
Twp. _____	Rge. _____	Sec. _____	
Lat. _____	1/4 _____	1/4 _____	1/4 _____
Long. _____		_____	

1. WELL TAG NO. D6403

Drilling Permit No. _____

Other Permit No. 95-08947

2. OWNER

Name KIDD ISLAND BAY WATERWell Number: 776Address JUB/PO BOX 2265City CUAState IDZip 83816

3. LOCATION OF WELL by legal description

sketch map location must agree with written location

Twp. 50 ☒ North or ☐ SouthRge. 04 ☐ East or ☒ WestSec. 35 1/4 SW 1/4 SW 1/4Gov't Lot _____ County KOOTENAI

Lat. _____ Long. _____

Address of Well Site KIDD ISLAND BAYCity CUA

(Draw to legal name of road - Distance to Road or Landmark)

L.L. _____ Bk. _____ Sub. Name _____

4. USE:

☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement, etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK		AMOUNT		METHOD
Material	From	To	Backs or Pounds	
BENTONITE	0	54	55 BAGS	OVERBURDEN

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 0Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

diameter	From	To	Gauge	Material	Casing	Line	Window	Threshold
8	12	54	.250	STEEL	☒	☐	☒	☐
6	13	80	.250	STEEL	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____

☒ Screens Screen Type JOHNSON STAINLESS

From	To	Slot Size	Number	Material	Casing	Line
80	100	100	20	5	STEEL	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

20 ft. below ground Artesian pressure _____ lb.Depth flow encountered, 95 ft. Describe access port or control device: _____

11. WELL TESTS:

☒ Pump ☐ Boiler ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
300+			
Pump Test	80GPM		4 HRS.

Water Temp. COLD Bottom Hole Temp _____Water Quality test or comments: CLEARDepth first Water encountered 95

12. LITHOLOGIC LOG (Describe repairs or abandonment)

From	To	Remarks Lithology, Water Quality, Temperature	Water	Y	N
12	0	TOPSOIL		☐	☒
12	3	Clay Brown		☐	☒
12	26	Clay Brown W/Drain		☐	☒
12	37	Gravel Broken		☐	☒
12	41	Gravel W/Clay Brown		☐	☒
12	52	Gravel Interbeds		☐	☒
8	54	Gravel Interbeds		☐	☒
8	90	Void		☒	☐
8	95	Gravel Fractured		☒	☐
		ARTESIAN SEAL		☐	☐

RECEIVED

JAN 24 2001

Department of Water Resources

Completed Depth 104' (Measurable)Date Started 9/24/98 Completed 9/25/98

13. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name H2O Well Service, Inc. Firm No. 448Firm Official _____ Date 9/25/98and Supervisor or Operator _____ Date 9/25/98

(Sign Once if Firm Official and Operator)

(Mike Halterman)

MICROFILMED

APR 11 2001

Form 238-7

7/98

Starships Consulting and
Management Services

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

Office Use Only			
Inspected by			
Twp	Rge	Sec	
1/4	1/4	1/4	
Lat	:	:	Long

1. WELL TAG NO. D10378Drilling Permit No: 95-08947-108Other IDWR No. 95-08947

2. OWNER

Name KIDD ISLAND BAYWell Number: 801Address PO BOX 2265City CDA State ID Zip 83816

3. LOCATION OF WELL by legal description

sketch map location must agree with written location

X					

Twp. 50 North or South
Rge. 04 East or West
Sec. 35 1/4 SW 1/4 SW 1/4

Gov't Lot _____ County KOOTENAI

Lat: _____ Long: _____

Address of Well Site KIDD ISLAND BAYCity CDA

(Give at least name of road + distance to Road or Landmark)

Lt. _____ Bk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement, etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT Bags or Pounds	METHOD
Material	From	To		
BENTONITE	-2	-53	60 BAGS	CASED

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 130Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Line	Wells	Threading
3	+2	-124	-322	STEEL	☒ M	☐ L	☒ M	☐ I

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method _____☒ Screens Screen Type Stainless Steel

From	To	Depth	Material	Casing	Line
-125	-135	80		☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

80 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
100+			

Water Temp. _____ Bottom Hole Temp _____

Water Quality test or comments: _____

Depth first Water encountered _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

From	To	Remarks: Lithology, Water Quality, Temperature	Y	N
12	0	Trussell		☒
12	3	Clay Brown		☒
12	26	Clay W/Broken Basalt		☒
12	37	Basalt Black Broken		☒
12	42	Basalt W/Clay Spans		☒
8	60	Basalt Broken		☒
8	72	Basalt Fractured		☒
8	110	Basalt W/Clay		☒
8	116	Basalt Fractured		☒

RECEIVED

JAN 24 2001

Department of Water Resources

5 JTS + 5'

Completed Depth 130' (Measurable)Date Started 7/14/99 Completed 7/20/99

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name H2O WellService, Inc. Firm No. 446Firm Official _____ Date 7/20/99

and _____

Supervisor or Operator _____ Date 7/20/99

(Sign Once If Firm Official and Operator)

(Jim McLeslie)

MICROFILMED

APR 11 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

January 5, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KIDD ISLAND BAY WATER USERS ASSN
PO BOX 2265
COEUR D ALENE ID 83816

RE: Permit No. 95-9026

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date 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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

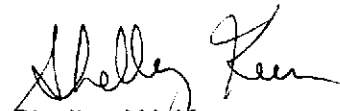
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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APR 11 2001

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

Sincerely,

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

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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APR 11 2001

CERTIFICATE OF MAILING

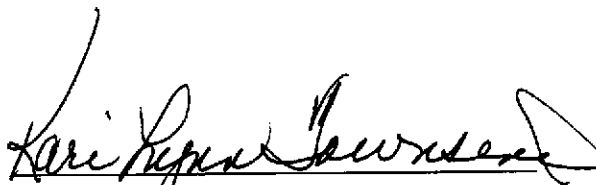
I hereby certify that on the January 05, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 95-9026

KIDD ISLAND BAY WATER USERS ASSN

PO BOX 2265

COEUR D ALENE ID 83816

A handwritten signature in dark ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

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 11 2000

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.

Analysis of System Capacity for Subdivisions

Operator: S. Curtis

Date: 1/2/01

Right No.: 95-09026

Existing or Proposed System

Storage capacity in gallons	30000 gal	
Pump horsepower	5 hp	
Dynamic lift	100 ft	
Pump discharge pressure	40 psi	
Theoretical pumping capacity	0.16 cfs	71.8 gpm
Measured pumping capacity	0.16 cfs	71.8 gpm

Requirements

Number of homes	75 homes
Gallons per day per home	500 gal
Area irrigated	56 acres
Peak demand period	60 min

Calculations

Peak instantaneous demand	1.57 cfs	704.5 gpm
Suggested pump capacity	0.47 cfs	211.4 gpm
Peak demand volume	72431 gal	
Max potential daily diversion vol.	103404 gal	
Total daily volume required	97819 gal	0.3002 af
Time required to pump daily vol.	22.7 hr	1362 min
Time required to refill storage	16.8 hr	1009 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:

See applicant's letter of 11/14/2000

MICROFILMED

APR 2 2001

Sharla:

I will attempt to answer your questions by fax since I have trouble reaching you by phone.

The systems well capacity of 72 GPM is ample because we have a 30,000 gal reservoir.

The ground water rights for 7 mobile homes belongs to: E. B. Trushour

Box 312

Coeur D'Alene, Id. 83816

Kidd Island Bay Water Users drilled that well. However it did not provide enough GPM and it was agreed to sell the well to Mr. Trushour.

The purpose of drilling the wells was to cease using surface water from Coeur D'Alene Lake. The 54 homes are included in the 75.

Sharla, if I can be of further assistance, please call or fax me.

Respectfully
Jim Babb

MICROFILMED

APR 11 2001

Cover Sheet

To: Sharla Curtis

From: Kidd Island Bay Water Users Assn.

Re: Application for Permit

Kidd Island Bay Water Users Assn

Jim Babb Pres. Home (208) 667-6105

office: (509) 535-5051

05:00AM - 2PM Pacific Time

Fax (509) 535-0829

ANOROFLMED

APR 11 1997

Kidd Island Bay Water Users Assn.

Sharla:

Enclosed please find copy of fax sent to you on 11/14/00. Hopefully I have answered the questions of concern. If not I can be reached as follows:

Jim Babb
W 819 Kidd Island Rd.
Coeur D'Alene, Id. 83814

home phone 208-667-6105 - leave message
work " 509-535-5051
fax 509-535-0829

RECEIVED

NOV 20 2000

Department of Water Resources

Respectfully
Jim Babb

MICROFILMED

SEP 11 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 10/13/99

No. 95-09026 Name: RIBWUA Corp. Officers ✓see comment 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) - 065-079
Supp-irr (+ other uses) - 100-101
≤ 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

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

BENEFICIAL USE DUE: 1/01/2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - 016
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

Multiple pd's per ¼¼

Subd lot desc (pd) - W32
Subd lot desc (pu) - W59
- W60

OTHER CONDITIONS/REMARKS 5/75 homes. ok

COMMENTS run subd local spreadsheet

WD5804NP
(00-5804)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S LOG REPORT

DATE: 10/19/99
PAGE: 3

PERMIT NUMBER: 95-99-N-0108-000
OWNER CODE: O
NAME & ADDRESS: KIDD ISLAND BAY
PO BOX 2265
COEUR D ALENE, ID 83816
ACC: TWP RGE SEC TRACT LOT FLG COUNTY
50N 04W 35 SW SW L KOOTENAI

R JUB ENGINEERS
1250 IRONWOOD DR NO 220
COEUR D ALENE, ID 83814
(208) 667-1574

Log Status: Sent To/Microfilmed
Water Right No: 95-08947

Injection Permit No:

Nature of Work: NEW WELL Construction Method: AIR ROTARY

Proposed Use of Well: Municipal

Well Use Comments:

Casing Diameter: 8 In.
Depth of Casing: 124 Ft.
Total Depth: 130 Ft.
Screen Installed? Yes
Violation Flag:
Actual Start Date: 07/14/1999
Well Finish Date: 07/20/1999
Log Received Date: 09/30/1999
Certification Date: 07/20/1999
Field Inspection Date:
Inspector:

Firm Name: H2O WELL SERVICE
Official: JOHN H WHEELER

Firm No. 0448

Well Log Remarks:

Comments: Date: 07 19 1999 User-ID: CMONITZ Subject: DRILLER EXPLANATION
SELF-REPORTED VIOLATION

MICROFILMED
APR 11 1999

WD5804NP
(00-5804)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S LOG REPORT

DATE: 10/19/99
PAGE: 2

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	FLG	ACC	COUNTY
95-98-N-0173-000	0	KIDD ISLAND BAY WATER USERS C/O JUB - STEVE JAMES PO BOX 2265 COEUR D ALENE, ID 83816	50N	04W	35	SW	SW	P		KOOTENAI

Log Status: Sent To/Microfilmed
Water Right No: ~~95-08947~~

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: AIR ROTARY

Proposed Use of Well: Municipal

Well Use Comments:

Casing Diameter: 8 In.
Depth of Casing: 54 Ft.
Total Depth: 104 Ft.
Screen Installed? Yes
Violation Flag:

Static Water Level: 20 Ft.
Temperature:
Production Rate: 300.00 GPM
Actual Start Date: 09/24/1998
Well Finish Date: 09/25/1998
Log Received Date: 10/14/1998
Certification Date: 09/25/1998
Field Inspection Date:

Inspector:

Firm Name: H2O WELL SERVICE
Official: JOHN H WHEELER

Firm No. 0448

Well Log Remarks:

Comments: No Comments Found

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SEP 17 1999



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

August 1, 2000

KIDD ISLAND BAY WATER USERS ASSN
PO BOX 2265
COEUR D ALENE ID 83816

RE: Application for Permit No. 95-09026

Gentlemen:

I have been reviewing the above referenced application for permit issuance and I have a couple of questions that I need answered.

The application was filed for 75 homes with a rate of diversion of 0.16 cfs from two (2) wells. I have located well logs for these two wells showing a combined production rate of nearly 1.00 cfs. Does the association intend to file another application for permit to pick up the remainder of the system's capacity or is 72 gpm all that you intend to pump? If you plan to only pump 72 gpm, please explain how that rate will be able to meet the instantaneous demand for 75 homes.

I located one other ground water right in the association's name; it is for 0.12 cfs for 7 mobile homes. The only other right in the association's name is for 54 homes with indoor and outdoor use from Coeur d'Alene Lake. Are these 54 homes included in the 75 homes identified in this latest application or are they separate?

Please provide a written response to the above questions within 30 days so that we can proceed with our review to issue a permit. If you have any questions, please give me a call.

Sincerely,

A handwritten signature in cursive script that reads "Sharla Curtis".

Sharla Curtis
Sr. Water Resource Agent

MICROFILMED

AUG 1 1 0001

IDA DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

OCT 12 1999

WRI
WRA
BCA

APPLICATION # 95-09026

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: KIDD ISLAND BAY

BY: AB

DATE: 8/11/99

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: 8/9/99

___ 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:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
95 98 2 0173		Dom. ___ Non-Dom. X	Paid \$ 200	1012401	Y () N (X)
95 99 2 0108		Dom. ___ Non-Dom. X	Paid \$ 200	1013670	Y () N (X)
		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
___ 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: 9/20/99
___ Measuring device required
___ Measuring port required
___ Special conditions:

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

Approval Recommended by: AB

Date: 10/7/99

RECEIVED

SEP 14 1999

AFFIDAVIT OF PUBLICATION

DWR/NOTR

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 *2* day of *September*, 19*99*, and ending on the *9* day of *September*, 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 *9* day of *September*, 19*99*.

Regina Mason

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

NOT RECORDED

SEP 14 1999

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:

95-09026

KIDD ISLAND BAY WATER USERS ASSN

PO BOX 2265

COEUR D'ALENE, ID 83816

Source: GROUNDWATER

Diversion Pt: NWSWSW Sec 35 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION DOMESTIC

(0.080 CFS)

(0.080 CFS)

Total Diversion: (0.160 CFS)

Date Filed: 8/9/1999

In: KOOTENAI County

T50N R04W S35

NWNE SWNE NENW SENW

NESW NWSW SWSW

56.0 ACRES TOTAL

95-09027

SOKOL, JOSEPH

SOKOL, LYDIA

PO BOX 811

RATHDRUM, ID 83858

Source: SPRING Tributary: SINKS

Diversion Pt:

SWNE Sec 33 T 52N R 05W in KOOTENAI County.

SENE Sec 33 T 52N R 05W in KOOTENAI County.

NESENE Sec 33 T 52N R 05W in KOOTENAI County.

NWSENE Sec 33 T 52N R 05W in KOOTENAI County.

Use: RECREATION STORAGE

(5.00 AF)

RECREATION FROM STORAGE

(5.00 AF)

FIRE PROTECTION STORAGE

(5.00 AF)

FIRE PROTECT. FROM STOR

(5.00 AF)

Total Diversion: (5.00 AF)

Date Filed: 8/20/1999

In: KOOTENAI County

T52N R05W S33 NENE 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 SEPTEMBER 20, 1999.

KARL J. DREHER, Director

Legal 738

September 2, 9, 1999

95-09026

KIDD ISLAND BAY WATER USERS ASSN
PO BOX 2265
COEUR D ALENE, ID 83816

Source: GROUNDWATER

Diversion Pt: NWSWSW Sec 35 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION	(	0.080 CFS)
DOMESTIC	(	0.080 CFS)
Total Diversion:	(	0.160 CFS)

Date Filed: 8/ 9/1999

In: KOOTENAI County
T50N R04W S35

NWNE
NESW

SWNE
NWSW

NENW
SWSW

SENW

56.0 ACRES TOTAL

MICROFILMED

APR 1 1999

August 25, 1999

Kidd Island Bay Water Users Association
PO Box 2265
Coeur d Alene ID 83816

Re: Water Appropriation Application No. 95-09026

Gentlemen:

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

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

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

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

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

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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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