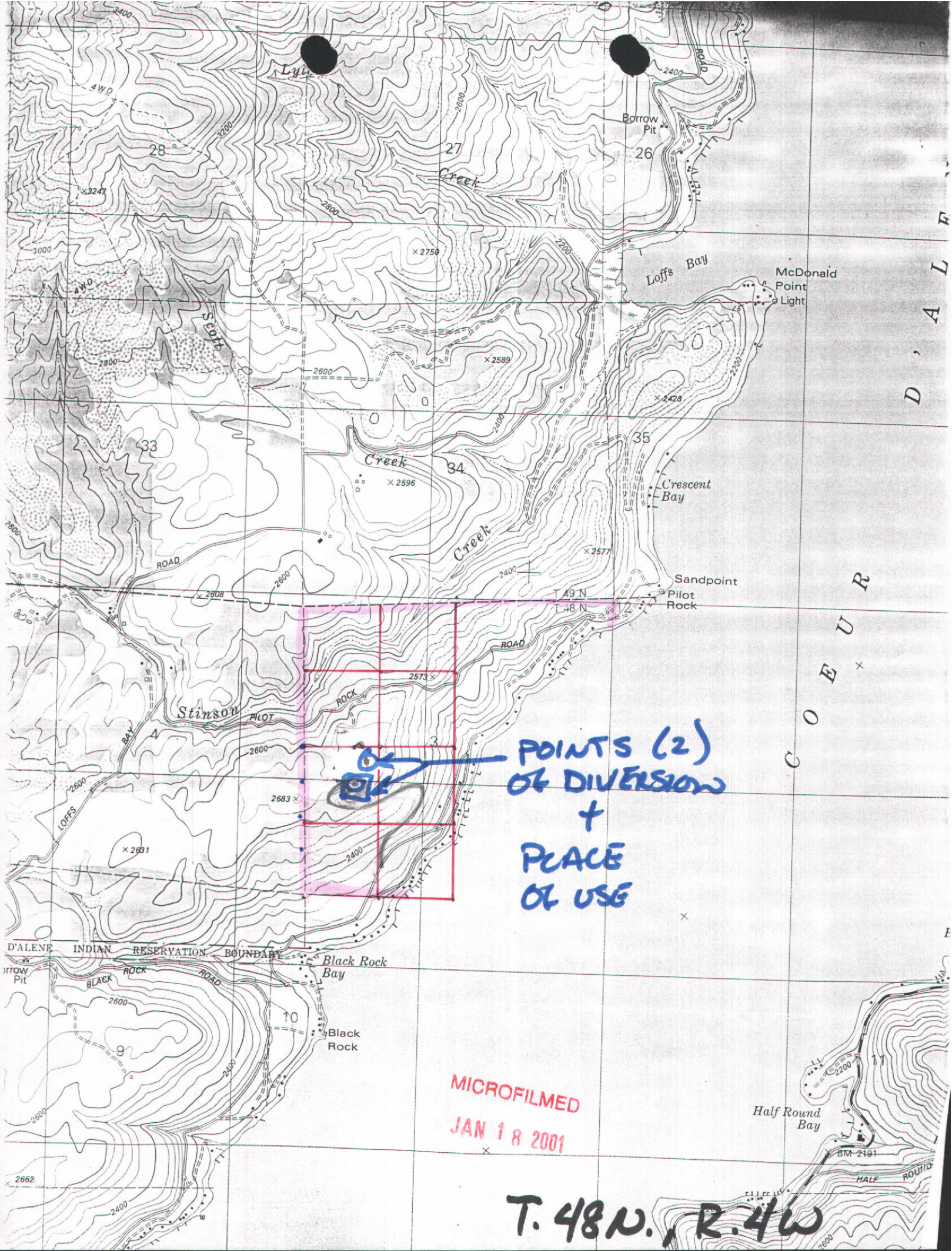




POINTS (2)
OF DIVERSION
+
PLACE
OF USE

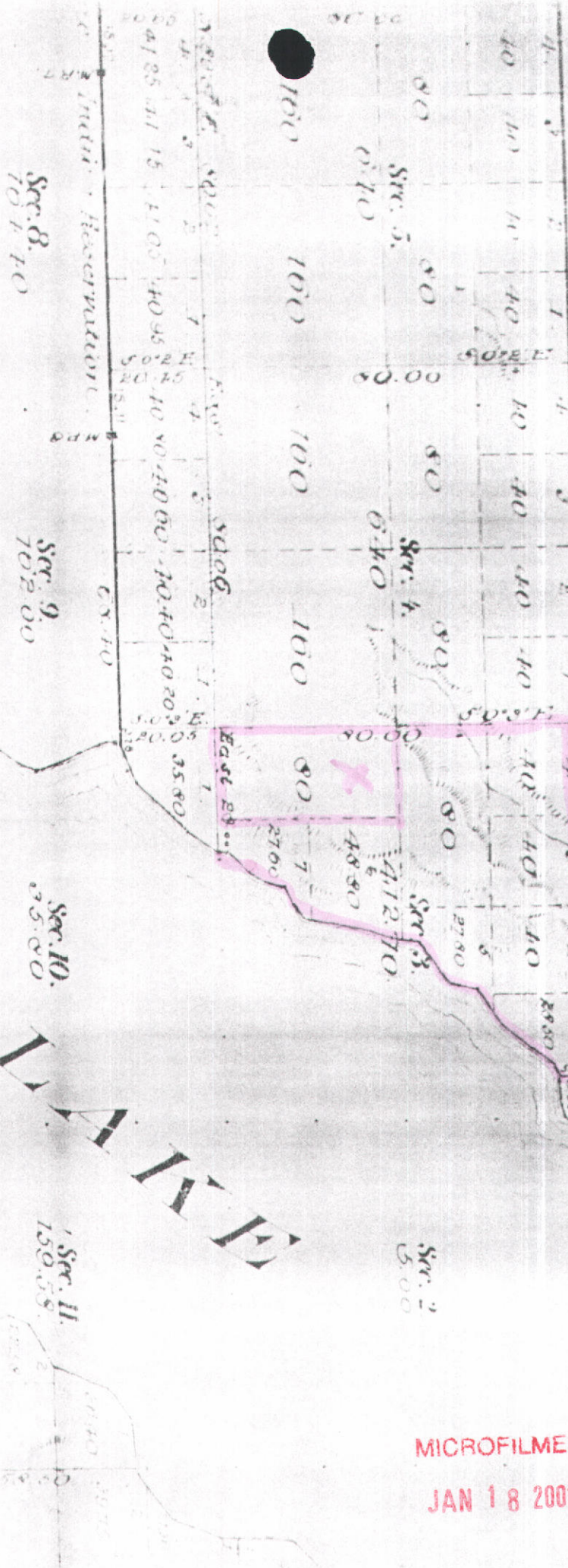
MICROFILMED
JAN 18 2001

T. 48N., R. 4W

AS North Range No. 4 West of the Boise Meridian

E d D c c b

the Mountain Ranges North



APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

by S. Curtis

No.: 95-09022 Name: Vincent Date: 10/5/99 Ad OK? ☒ Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

- FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____
- IN/ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18
- MUNICIPAL
- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102
- DOMESTIC
- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- FIRE PROTECTION - 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

1/1 home, 5/5 horses.
70/1/ 2004

1st time
1st request
Change of
address

For Office Use Only
\$50 Fee Received by LM
Date 10-20-04
Receipt No. 0075545

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
OCT 20 2004
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. 95-09022
Name(s) of Permit Holder MIKE + BARBARA VINCENT
Address: 15555 BLACK ROCK RANCH RD. City COEUR D'ALENE State ID Zip 83814
^{NEW ADDRESS}
Telephone No. 208 664-5514 Date Proof is Due: OCT 1, 2004

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".)

2 CORRALS CLEARED, CULTIVATED + SEEDED -
3-4 ADDITIONAL ACRES CLEARED TO PLANT HARDWOODS, LAVENDER, PASTURES
LANDSCAPING AROUND HOME COMPLETED - SPRINKLERS (NOW IRRIGATED)

Costing \$ _____

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

DROP IN WATER RECHARGE BY 1/2 AFTER NEIGHBOR
DRILLED A COMMUNITY WELL + DEVELOPMENT OF
CLUB AT BLACK ROCK - NEW DEVELOPMENT BEGINNING
IN CLOSER PROXIMITY. NEED TO DRILL A NEW WELL \$25,000
TO CONTINUE PLAN. NOT ENOUGH WATER AT PRESENT TIME.

Permit holder(s) request an extension to OCT 1, 2009

Barbara Vincent Michael L. Vincent
(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
REINSTATED with the priority advanced to August 14, 1999. IT IS FURTHER ORDERED
that the time within which to submit proof of beneficial use is extended to
October 1, 2009.

Signed this 11th day of January, 2005

Gary Spackman
GARY SPACKMAN

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.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09022

Priority: July 26, 1999

Maximum Diversion Rate:

0.15 CFS

This is to certify, that **MIKE VINCENT**

BARBARA VINCENT

15555 BLACK ROCK RD

COEUR D'ALENE ID 83814

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

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.09 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 3, Township 48N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
48N	04W	3	NWSW	3.0		3.0

Total number of acres irrigated: 3.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before October 1, 2004.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
7. Stockwater use is for 5 horses.
8. Two points of diversion are located within NWSW, S3, T48N, R4W.

MICROFILMED

JAN 18 2001

State of Idaho
Department of Water Resources

PAGE 2

Permit To Appropriate Water

NO. 95-09022

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

12 th day of October, 1999.


for Karl J. Dreher, Director



MICROFILMED

JAN 18 2001

Ident. No. 95-09022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES RECEIVED
APPLICATION FOR PERMIT OCT 04 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources

mile m/l or

1. Name of Applicant Barbara Vincent Phone 664-5514
Mailing address 15555 Black Rock Rd. Cda. 83814
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 48N Range 4W Sec. 3, in the _____ 1/4,
NW 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 0.04 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.09 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.02 for STOCKWATER purposes from 7/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.15 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 2 WELLS - PUMPS - PIPE LINES - IRRIGATION SYSTEM
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is 6" inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? 93; Drilling firm 0448
Well was drilled for (well owner) 440; Drilling Permit No. 95-93-W-0114

7. Time required for completion of works and application of water to proposed beneficial use is 5 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. 5 HORSES
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 HOME
- e. Other; describe fully. _____

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JAN 18 2001

a. If water is for irrigation, indicate acreage in each subarea.

use below. See instructions for standard symbols.

[illegible]

3

2/12

Application

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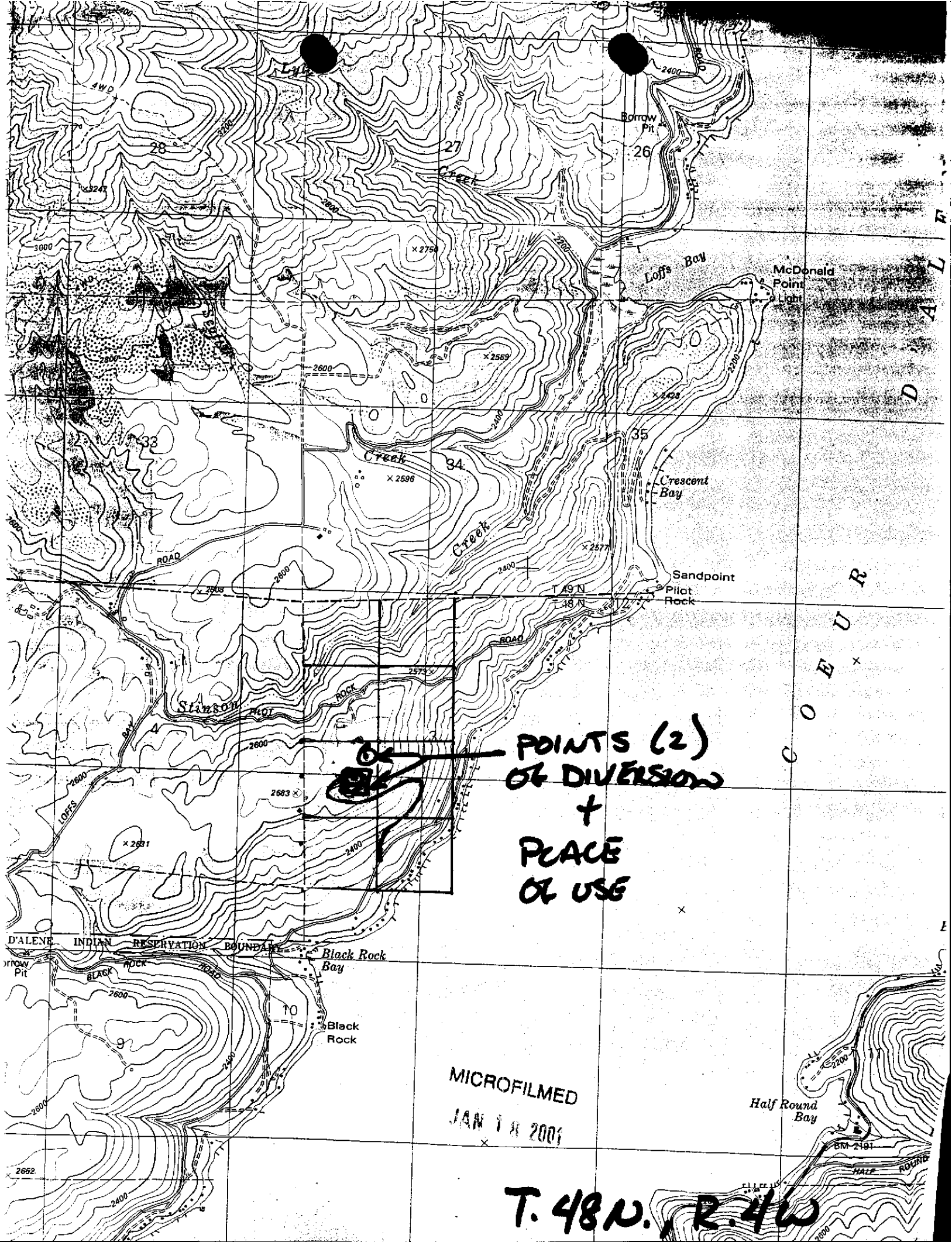
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place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

of the State of Idaho as herein set forth.

[Signature]

Received by	7/26-78	Date	7/26-78	Time	4:00	Preliminary check by	7/26-78
Fee \$	101.50	Received by	7/26-78	Date	7/26-78	Published in	7/26-78
Publication prepared by	7/26-78	Date	7/26-78	Time	4:00	Published in	7/26-78
Publication approved by	7/26-78	Date	7/26-78	Time	4:00	Published in	7/26-78



POINTS (2)
OF DIVERSION
+
PLACE
OF USE

MICROFILMED
JAN 18 2001

T. 48 N., R. 4 W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 12, 2005

MIKE VINCENT
BARBARA VINCENT
15555 BLACKROCK RANCH RD
COEUR D ALENE ID 83814

RE: PERMIT NO. 95-9022

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 proof due date to **October 1, 2009**. Please note that the approved request reinstates the permit, however, since your request was submitted after the proof due date the priority of the permit advances to August 14, 1999, as referenced in Section 42-218a, Idaho Code.

Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of the development 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

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No.: 95-9022

Reviewed By: dgibson

Date: January 11, 2005

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Request received timely?		X	Is delay by a government agency?		X
Appropriate fee	X		Is supporting documentation needed to support the file?		
Additional Amount Due:					
Receipt No.:		C075545	Has the permit been involved in litigation?		X
Name and signature same as permit?	X		Is supporting documentation needed to support the file?		
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?		
Has adequate work been completed to demonstrate due diligence?	X				

Priority Calculation

Extension request received	10/20/2004	New proof due date	10/01/2009
Date proof due	- 10/01/2004		
Lapse notice sent	- 10/07/2004		
No. of days late	= 19		
Holiday allowance	+		
Priority date	+ 07/26/1999		
New priority date	= 08/14/1999		

Action Taken

Request for Extension granted extending proof deadline to 10/1/2009. Reinstatement of permit advanced priority to 8/14/1999. Updated database with address change. Comments in workflow done.

Please note

OCT 20 2004

Change of address for
Mike and Susan Vincent

old

15555 Black Rock Road
Cda, Id 83814

new

15555 Blackrock Ranch Rd.
Cda, Id. 83814

Susan Vincent

Workflow changed 11/1/05. dy

October 7, 2004

MIKE VINCENT
BARBARA VINCENT
15555 BLACK ROCK RD
COEUR D ALENE, ID 83814

LAPSE NOTICE

RE: PERMIT NO. 95-9022

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in the proof due notice dated July 31, 2004. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

Sincerely,

Gary Spackman

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 10/7/04
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

_____ 

July 31, 2004

MIKE VINCENT
BARBARA VINCENT
15555 BLACK ROCK RD
COEUR D ALENE, ID 83814

PROOF DUE NOTICE

RE: PERMIT NO. 95-9022

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 October 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

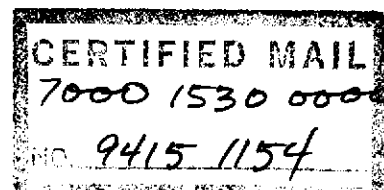
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 12, 1999

MIKE VINCENT
BARBARA VINCENT
15555 BLACK ROCK RD
COEUR D ALENE ID 83814

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09022

Dear Permit Holder:

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

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

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

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

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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

MICROFILMED

OCT 18 2001

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

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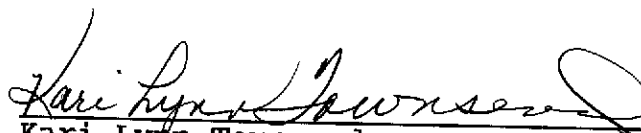
JAN 18 2001

CERTIFICATE OF MAILING

I hereby certify that on the 12th day of October, 1999, 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. 95-09022

MIKE VINCENT
BARBARA VINCENT
15555 BLACK ROCK RD
COEUR D ALENE ID 83814


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 18 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
JAN 18 2001

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

No.: 95-09022 Name: Vincent Date: 10/5/99 Ad OK? ☒ / Gvmt Lts: by SCurtis

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046 P23
- In Basin 34? - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (If GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

- FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____
- IN/ABOVE MSF (✓ MAP) - *WB9 _____
- IN-STREAM DEVELOPMENT - P62 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
 - > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
 - ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
 - > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
 - ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

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

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (Injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- FIRE PROTECTION - 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) - _____
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

10/11/2004
5/5 hours

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

RECEIVED

OCT 4 1999

WR/
BCA
WRA

APPLICATION # 95-09022

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: VINCENT

BY: AB

DATE: 7/26/99

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)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 7/26/99

X (Include Moratorium Remark)

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

CA/Sum/ch

ADVERTISE IN: MOOTENAI 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>95 93 ~ 0114</u>		Dom. ☐ Non-Dom. ☐	Paid \$ <u>35-</u>	<u>MO06683</u>	Y (☒) N (☐)
		Dom. ☐ Non-Dom. ☐	Paid \$ <u>165-</u>	<u>NO13272</u>	Y (☐) N (☐)
		Dom. ☐ Non-Dom. ☐	Paid \$ _____		Y (☐) N (☐)

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

Remarks: ONE EXISTING WELL WITH APPLICATION REVIEW

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- 8/17 Notice of pending void order issued. Final order response date: 8/23/99
- 8/17 Further information required from applicant
- 8/17 Affidavit of publication received
- 8/17 Application published correctly. If not, record action taken: _____
- 7/28 Publication dates and paper recorded on application
- Y Protests received, Final protest date: 8/23/99
- Y Measuring device required
- Y Measuring port required
- Y Special conditions:
- Y Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB RYA

Date: 8/24/99



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

Dirk Kempthorne
Governor

KARL J. DREHER
Director

September 15, 1999

Mr. Mike Vincent
15555 Black Rock Rd
Coeur d'Alene ID 83814

RE: Application for Permit Number 95-09022

Dear Mr. Vincent:

We are writing in regard to the above Application for Permit which has been advertised and is ready to be sent to our state office for final approval.

Our records indicate that your well was constructed under a "Domestic Well Drilling Permit", and a \$35.00 fee was paid. Since the uses listed on your Water Right Permit exceed the Statutory Definition of Domestic use it is necessary to upgrade your well drilling permit prior to forwarding your Application for Permit to our State Office.

The fee for a "Non Domestic Well Drilling Permit" is \$200. Please send an additional \$165.00 to cover the difference to our office.

If you have any questions, or if I can be of further assistance, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

JAN 18 2001

RECEIVED

AUG
NORTHWESTERN REGION
CWA
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 *5* consecutive *weeks* commencing on the *5* day of *August*, 19*99*, and ending on the *12* day of *August*, 19*99*, and such publication was made as often during said period as said 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.

MICROFILMED

JAN 18 2001

Subscribed and sworn to before me this *12* day of *August*, 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:

95-09019

LYNCHON, GEORGE
15555 N RAMSEY RD
RATHDRUM, ID 83858

Tributary: SINKS

Sec 9 T 52N R 03W in KOOTENAI County.
Sec 9 T 52N R 03W in KOOTENAI County.

Source: SPRING

Diversion Pt: NWSWNE

Use: STOCKWATER

WILDLIFE STORAGE

DOMESTIC

FIRE PROTECTION

FIRE PROTECTION STORAGE

DIVISION TO STORAGE

Total Diversion: (0.200 CFS)

Date Filed: 7/14/1999

In: KOOTENAI County

T52N R03W S06

SWNE

95-09020

DANNENBRINK BARBARA
DANNENBRINK THOMAS H
16699 S RUNNIN BEAR RD
COEUR D'ALENE, ID 83814

Source: GROUNDWATER

Diversion Pt: LOT 7 (SWNE)

Use: IRRIGATION

WILDLIFE STORAGE

DOMESTIC

DIVERSION TO STORAGE

Total Diversion: (0.100 CFS)

Date Filed: 7/15/1999

In: KOOTENAI County

T48N R04W S09

LOT 7 (SWNE)

3.0 ACRES TOTAL

95-09021

FARLEY, CONSTANCE D
FARLEY, THOMAS W
9900 LAKE FOREST LOOP
RATHDRUM, ID 83858

Source: TWIN LAKES

Diversion Pt: SESE

Use: DOMESTIC

Total Diversion: (0.020 CFS)

Date Filed: 7/23/1999

In: KOOTENAI County

T52N R05W S35

SESE

95-09022

VINCENT, MIKE
VINCENT, BARBARA
15555 BLACK ROCK RD
COEUR D'ALENE, ID 83814

Source: GROUNDWATER

Diversion Pt: NWSW

Use: IRRIGATION

STOCKWATER

DOMESTIC

Total Diversion: (0.090 CFS)

Date Filed: 7/26/1999

In: KOOTENAI County

T48N R04W S03

NWSW

3.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 768-1450.

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 AUGUST 23, 1999.

Legal 568

August 5, 12, 1999

KARL J. DREHER, Director

95-09022

VINCENT, MIKE
VINCENT, BARBARA
15555 BLACK ROCK RD
COEUR D ALENE, ID 83814

Source: GROUNDWATER

Diversion Pt: NWSW Sec 3 T 48N R 04W in KOOTENAI County.

Use: IRRIGATION	(	0.090 CFS)
STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.150 CFS)

Date Filed: 7/26/1999

In: KOOTENAI County
T48N R04W S03 NWSW

3.0 ACRES TOTAL

MICROFILMED

JAN 18 2001

July 28, 1999

Mike and Barbara Vincent
15555 Black Rock Rd
Coeur d Alene ID 83814

Re: Water Appropriation Application No. 95-09022

Dear Mr. and Mrs. Vincent:

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

RECEIVED

JUL 29 1999