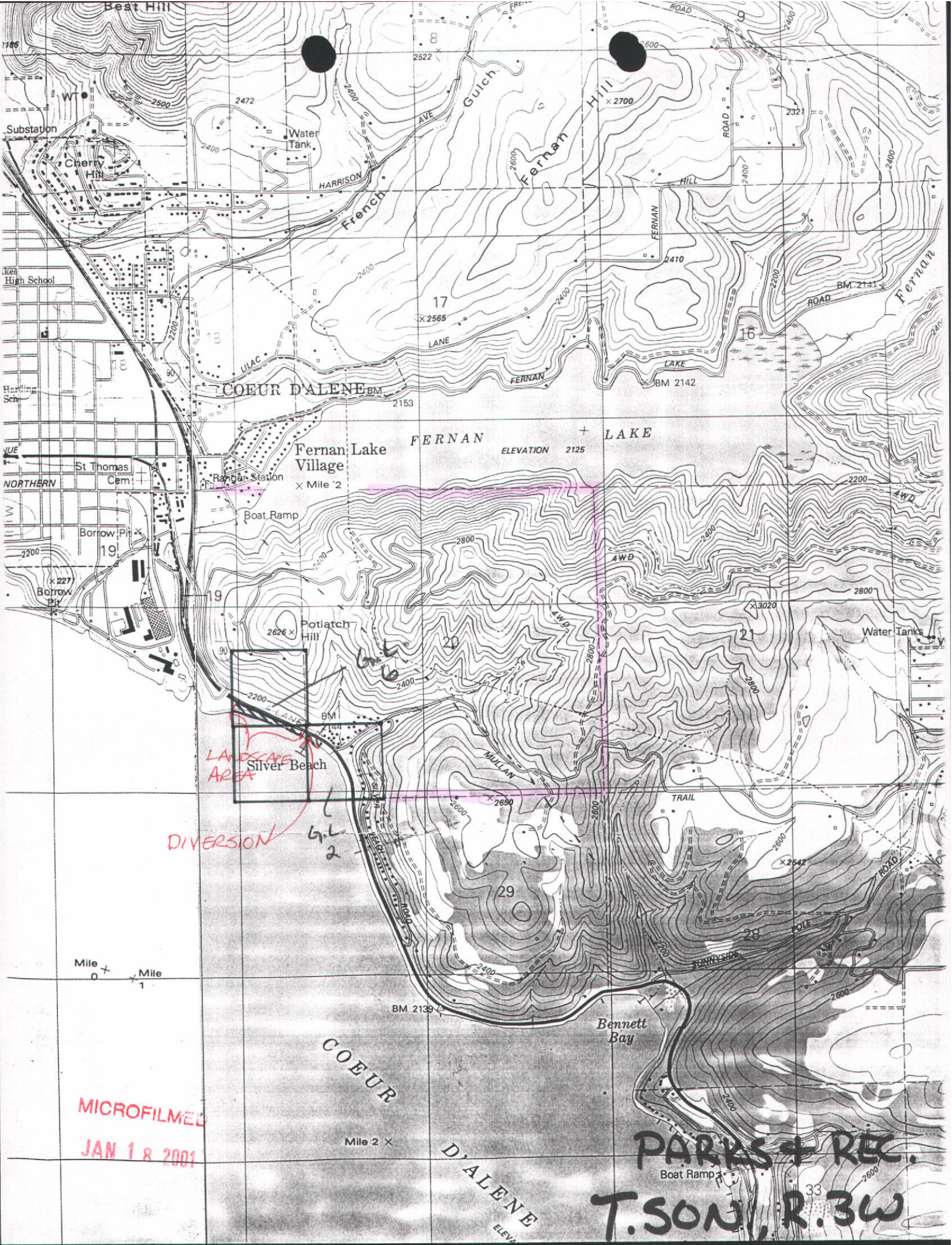
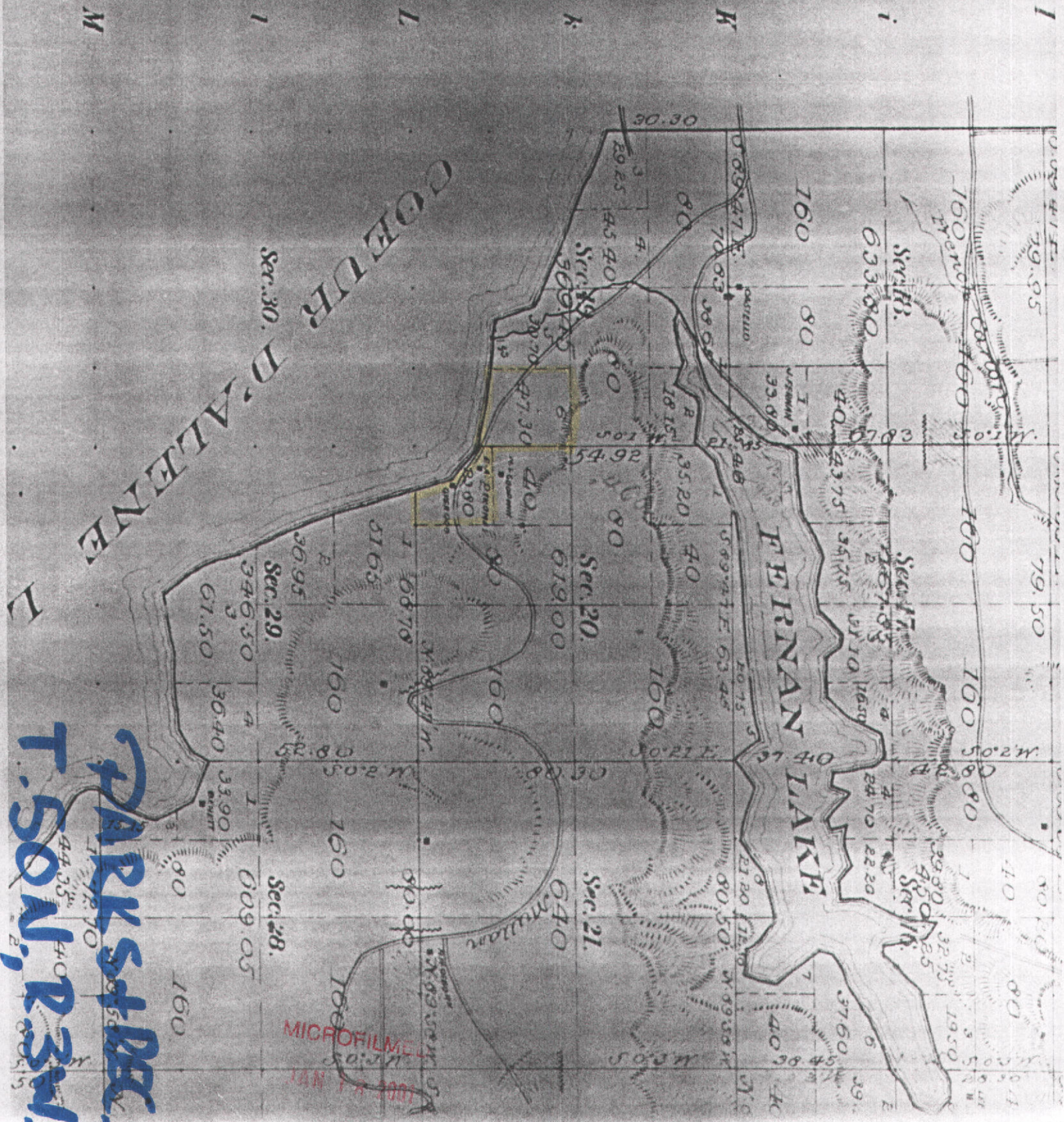




MICROFILMED
JAN 18 2001

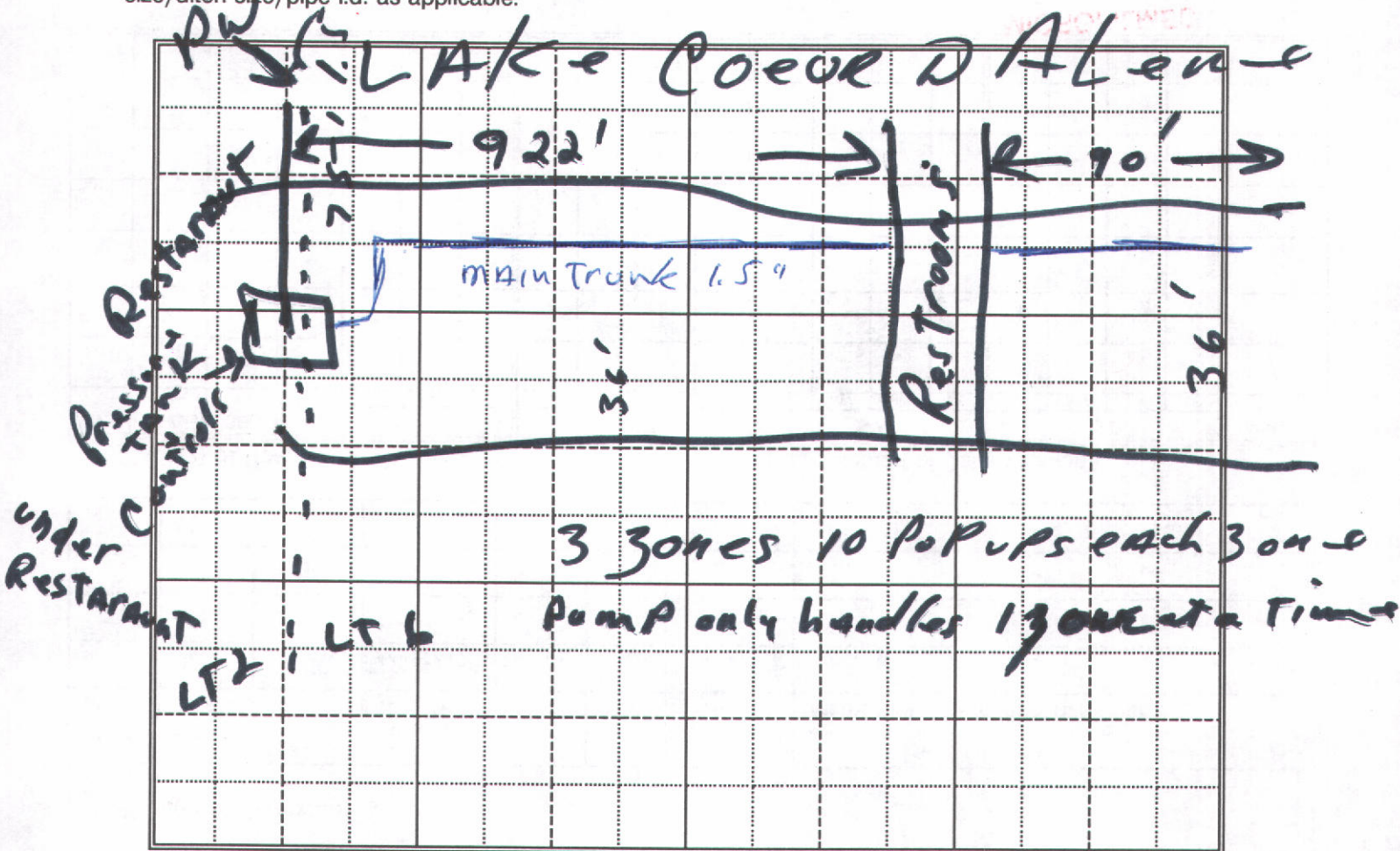
PARKS & REC.
T. SON, R. 3W



MICROFILMED
JAN 1 1981

T. SON, R. 34

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



Scale: 1" = _____

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

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	2	NA	Grundfos	SP4

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

D. FLOW MEASUREMENTS

1.

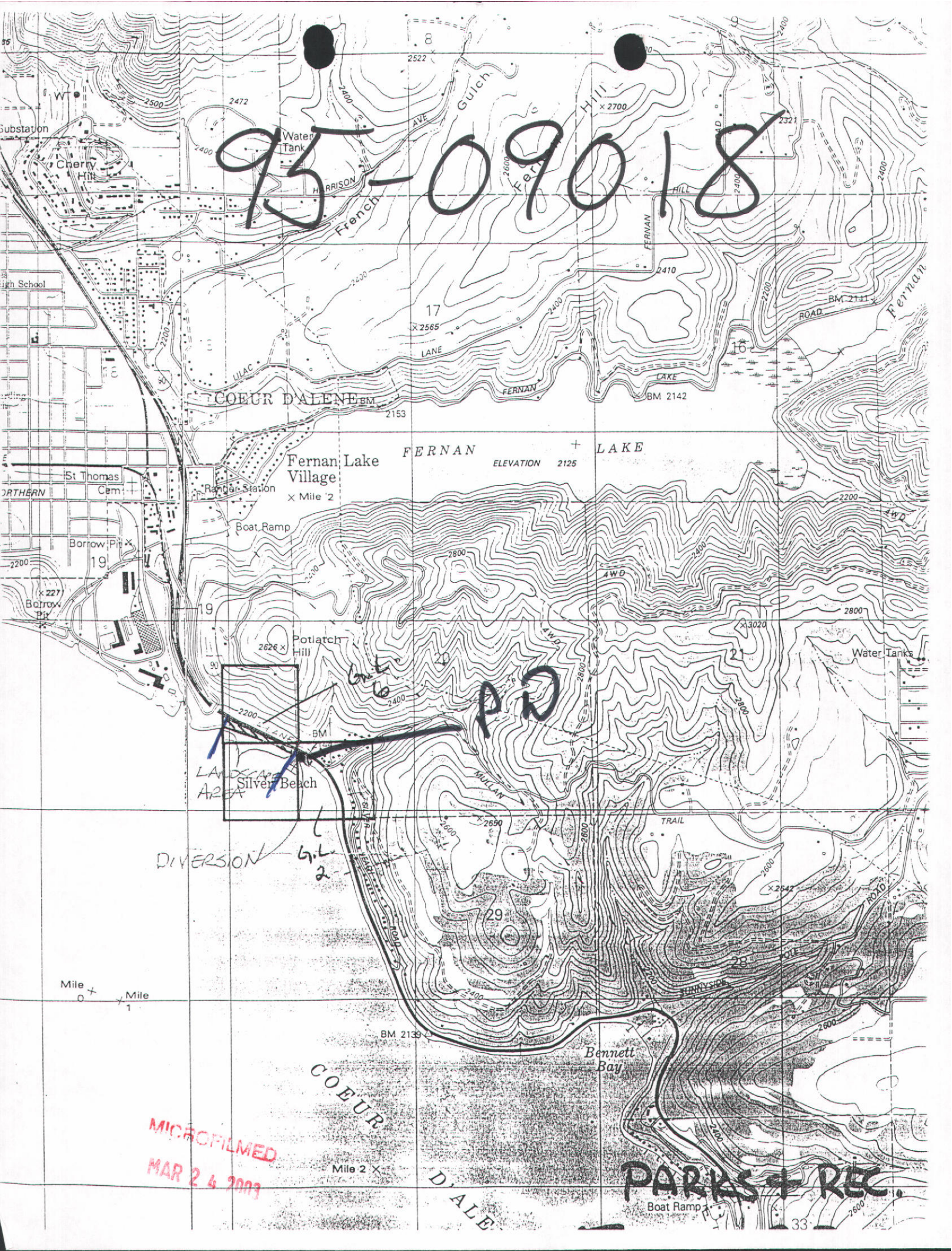
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

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MAR 24 2003

95-09018



Fernan Lake Village

FERNAN LAKE ELEVATION 2125

Silver Beach

DIVERSION

G.L. 2

AD

MICROFILMED
MAR 24 2003

PARKS + REC.

95-09018



PW

Pressure Tank
controls, under
Restaurant

PV

MICROFILMED
MAR 24 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09018

Priority: May 19, 1999

Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 3.0 AF

It is hereby certified that STATE OF IDAHO
DEPT OF PARKS & RECREATION
2750 KATHLEEN AVE #1
COEUR D ALENE ID 83815 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated May 19, 1999; and has
submitted Proof of Beneficial Use on January 28, 2000. An examination indicates that the works have a
diversion capacity of 0.06 cfs of water from:

SOURCE

COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

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>
IRRIGATION	03/15 to 11/15	0.06 CFS	3.0 AF

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L2 (SW¼SW¼) Sec. 20, Twp 50N, Rge 03W, 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 03W 19													1.0				1.0
													1.6				

Total Acres: 1

CONDITIONS OF APPROVAL

1. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
2. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
3. This right when combined with all other rights shall provide no more than 0.06 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. 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 18TH day of DECEMBER, 2002.

MICROFILMED

MAY 24 2003

Acting for

KARL J. DREHER
Director



RECEIVED

AUG 16 1999

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 who has been appointed by the department.

1. Permit No. 95-09018 Telephone No. (208) 769-1511
2. Name(s) of Permit Holder(s): Idaho State Parks and Recreation
3. Mailing Address: 2750 Kathleen Ave., #1
4. Source of Water: Coeur d'Alene Lake If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____
 - b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 3 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .12 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>X</u>
	Has the measuring device been installed?	Yes _____	or	No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>X</u>
	Has the measurement port been installed?	Yes _____	or	No <u>X</u>
8. Fee Enclosed: \$ 50⁰⁰ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
To be paid by intra agency billing
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Randall R. Butt Telephone Number: (208) 769-1511
Address: 2750 Kathleen Ave., #1 Coeur d'Alene ID
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Randall R. Butt Park Manager Date: 8-11-99
(include your title, if on behalf of company or organization)

JAN 16 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09018

Proposed Priority: May 19, 1999

Maximum Diversion Rate:

0.12 CFS

This is to certify, that STATE OF IDAHO

DEPT OF PARKS & REC
2750 KATHLEEN AVE #1
COEUR D ALENE ID 83815

has applied for a permit to appropriate water from:

COEUR D ALENE LAKE tributary of SPOKANE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.12 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SWSW), Sec. 20, Township 50N, Range 03W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
50N	03W	19	Lot 6 (NESE)	2.5			2.5
		20	Lot 2 (SWSW)	0.5			0.5

Total number of acres irrigated: 3.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 2000.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. This right when combined with all other rights shall provide no more than 0.04 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
6. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.

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

13th day of July, 1999.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

Ident. No. 95-09018

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL - 6 1999

To appropriate the public waters of the State of Idaho

Department of Water Resources

State of Idaho

1. Name of Applicant Department of Parks & Recreation Phone 769-1511
Mailing address 2750 Kathleen Ave., Suite One, Coeur d'Alene, ID 83815

2. Source of water supply Lake Coeur d'Alene which is a tributary of SPOKANE RIVER

3. Location of point of diversion is Township 50N Range 3W Sec. 20, in the SW 1/4, SW 1/4, Govt. Lot 2, B.M., Kootenai County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.12 CFS for Landscape Irrigation purposes from April 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .12 CFS 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 2HP Suction Pump with Inlet
for irrigation line _____

b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is NA 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? NA; Drilling firm _____
Well was drilled for (well owner) NA; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

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

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

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JAN 18 2001

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

use below. See instructions for standard symbols.

[illegible]

3

NA

Hagadone Hospitalty Co.

State of Idaho, D.O.I.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make

landscape and irrigate the section of land along the Centennial

trail between the trail head and the Beachouse Restaurant.

- MORE WATER THAN 1 MINUTE'S FLOW/HOUR IS RECOVERED
OF SHORTEN DIVERSION PERIOD + TIME GAINS IN PULVER AREA UNDER

REMARK MORE LATER.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"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

State of Idaho
Department of Parks & Recreation

Signature of Applicant (and title, if applicable)

Received by

Publication prepared by

Received by —

Date 5/19/99 Time 11:15

4.5

Preliminary check by

Date _____

Published in DATE 1/3/77

Publication approved.

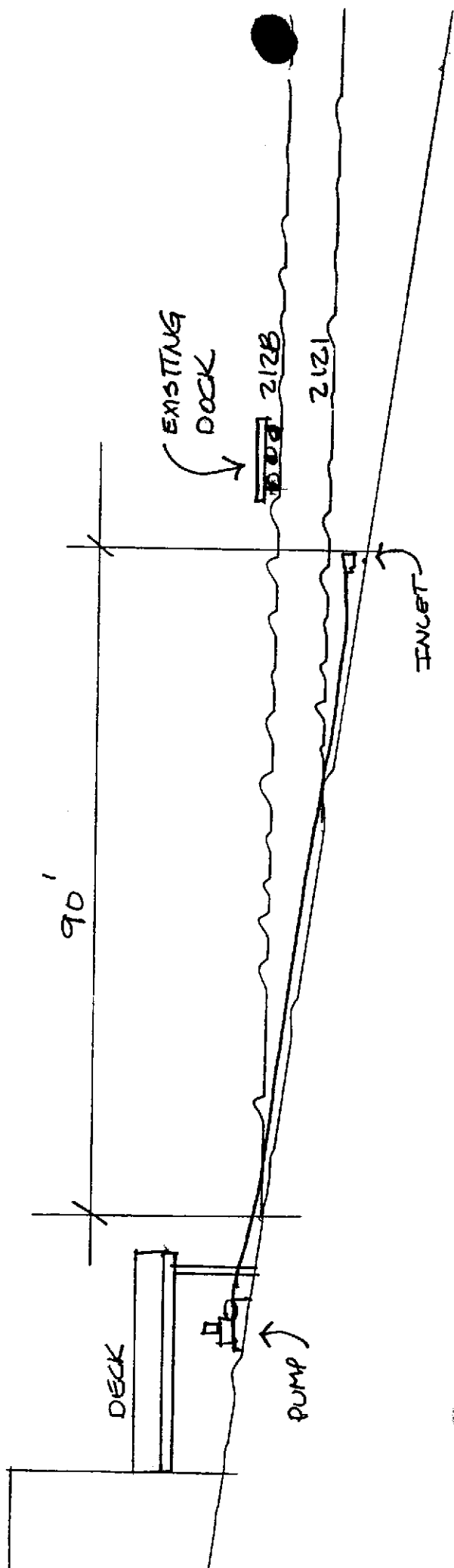
1

Date _____

46 11

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1963 8 1 AM



SECTION DRAWING

1" = 20'

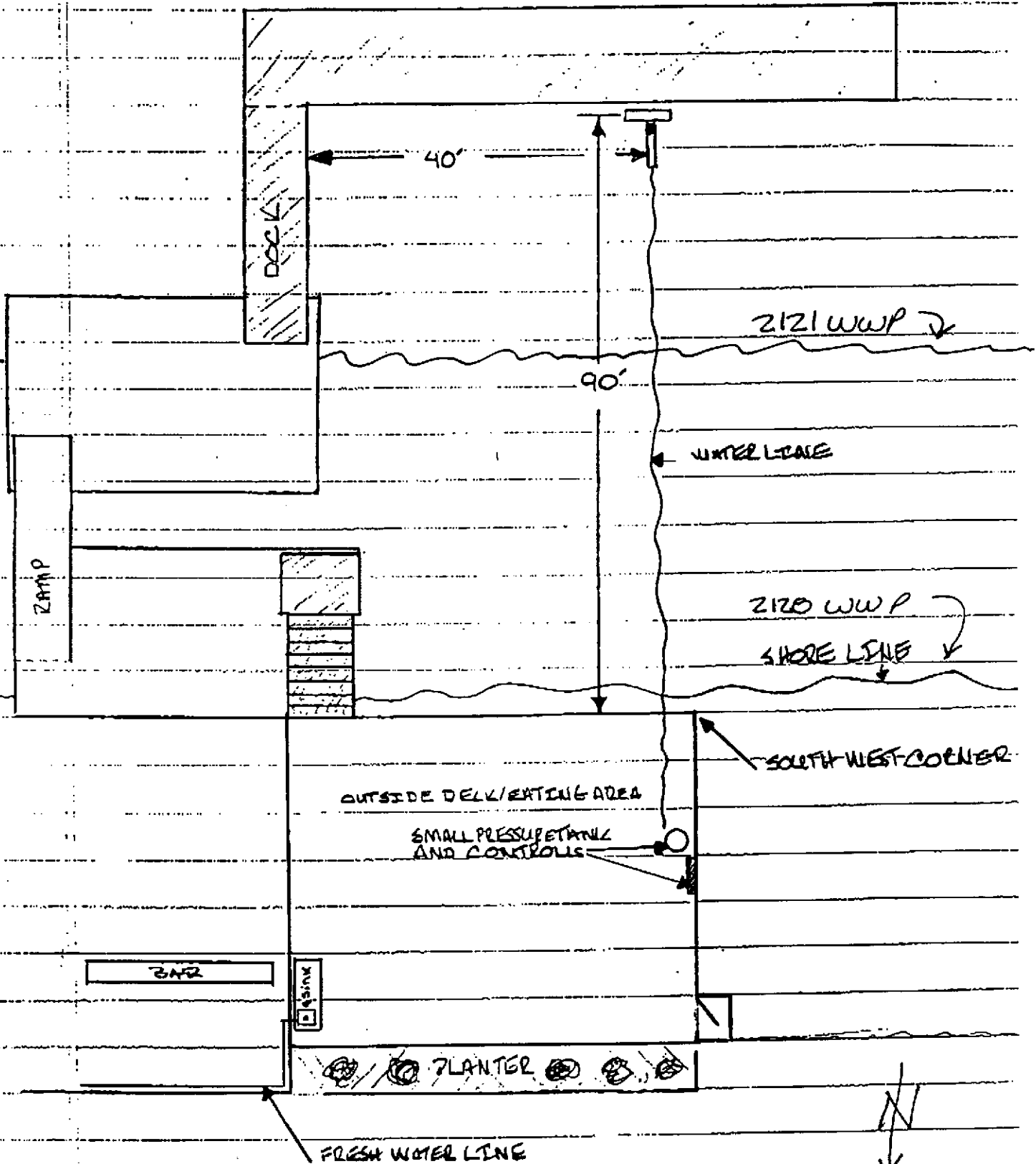
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JAN 16 2001

MAY 19th, 1999 BEACH HOUSE IRRIGATION

DATE _____

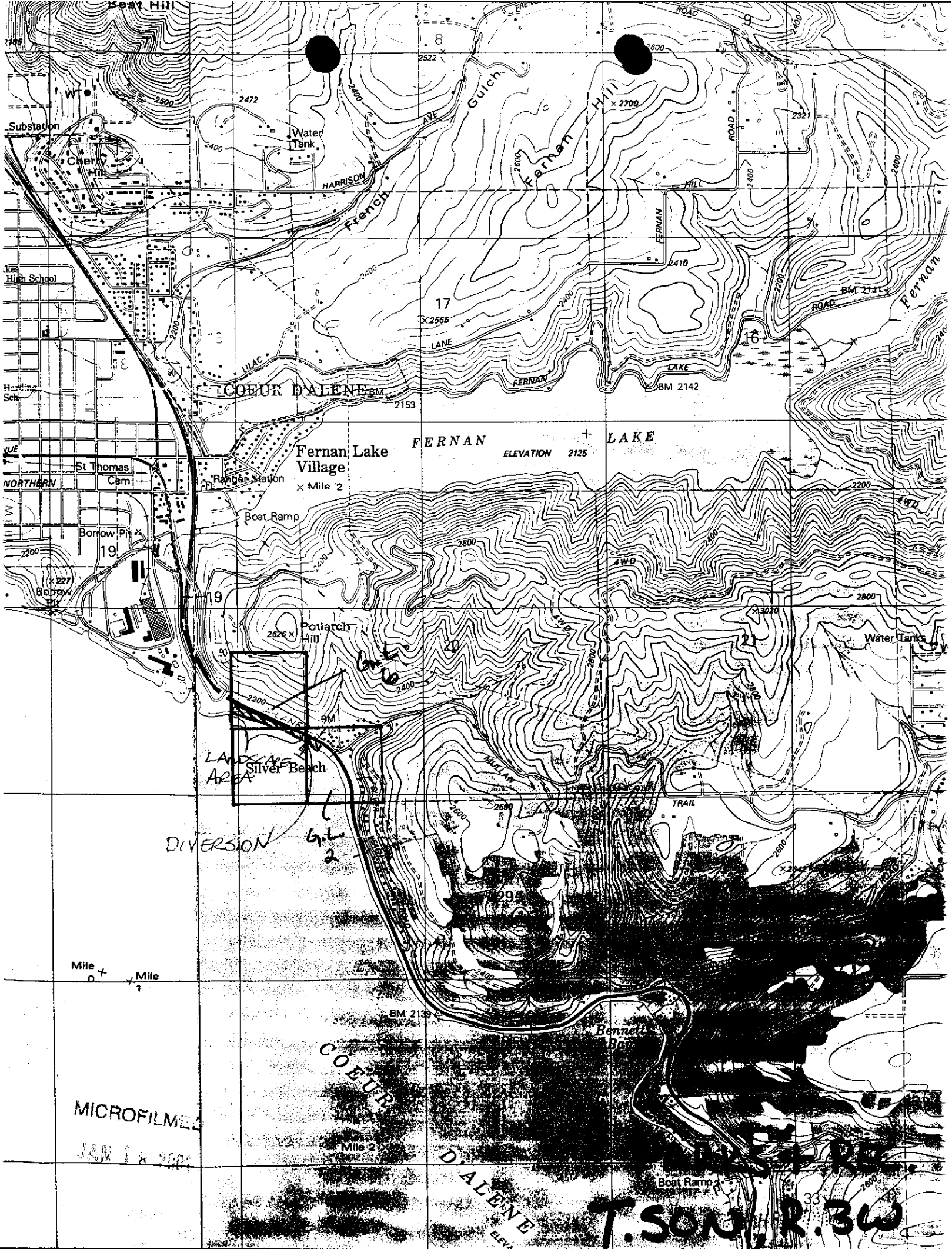
"PLACEMENT of SUBMERGIBLE PUMP"



MICROFILMED

BEACH HOUSE RESTAURANT

UNITED DRILLING



COEUR D'ALENE

Fernan Lake
Village

FERNAN LAKE
ELEVATION 2125

LANDSLIDE
AREA

DIVERSION
G.L. 2

Mile
0 + Mile
1

MICROFILMED

JAN 18 2004

COEUR

D'ALENE

T. SON, R. 3W



160 cm
633.00
79.95
79.50
79.25
79.00
100
100
100
100
80
80
80
80
160 cm
633.00
79.95
79.50
79.25
79.00
100
100
100
100
80
80
80
80



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

December 18, 2002

STATE OF IDAHO
DEPT OF PARKS & RECREATION
2750 KATHLEEN AVE #1
COEUR D ALENE ID 83815

RE: License No. 95-9018 - 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.

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

MAR 24 2003

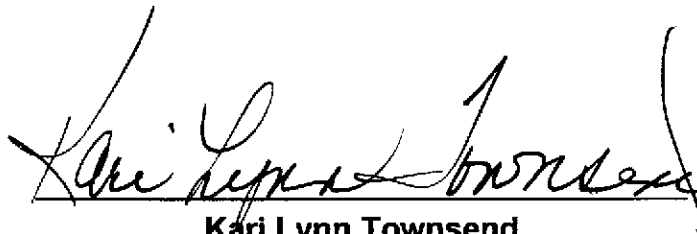
CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2002 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.

95-9018

STATE OF IDAHO
DEPT OF PARKS & RECREATION
2750 KATHLEEN AVE #1
COEUR D ALENE ID 83815

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

Kari Lynn Townsend
Secretary

MICROFILMED

MAR 24 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).

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.

MEMORANDUM

Date: December 17, 2002
To: Water Right File 95-9018
From: S. Keen 
Re: License Review

License review and data entry by S. Keen on 12/17/2002. No overlapping rights found. Field examiner was told by the system installer that the capacity is 25 gpm (0.06 cfs). Examiner said he observed 35 gpm (0.08 cfs), but I am not sure he accounted for the pressure tank installed in the system. Therefore, the capacity will be listed as 0.06 cfs.

The permit carried a condition limiting the development to 0.04 cfs per acre, but actual development has been 0.06 cfs per acre. The additional rate per acre is justifiable under the same rationale used to justify 0.04/acre instead of 0.02/ acre -- the use is for irrigation of public space that can only be watered during hours of limited public use.

The examiner recommended 0.1 acres of irrigation in the SESE of Section 19, but there is no SESE, only Govt Lot 6.

MICROFILMED

MAR 24 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 17 2002

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 95-090181. Owner: State of Idaho, Dept of Parks & Rec Phone No. (208) 769-1511Current Address: 2750 Kathleen Ave #1 Coeur D'Alene Id 838152. Accompanied by: Randall Butt EXAM DATE: 9-3-02Address: Same as above Phone No. _____Relationship to Permit Holder: Park Ranger3. Source: Coeur D'Alene Lake tributary to Spokane River**B. OVERLAP REVIEW**

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	02		SW	SW	20	50N	03W	Kootenai	US GS 7.5 min Quad

2. Place(s) of Use:

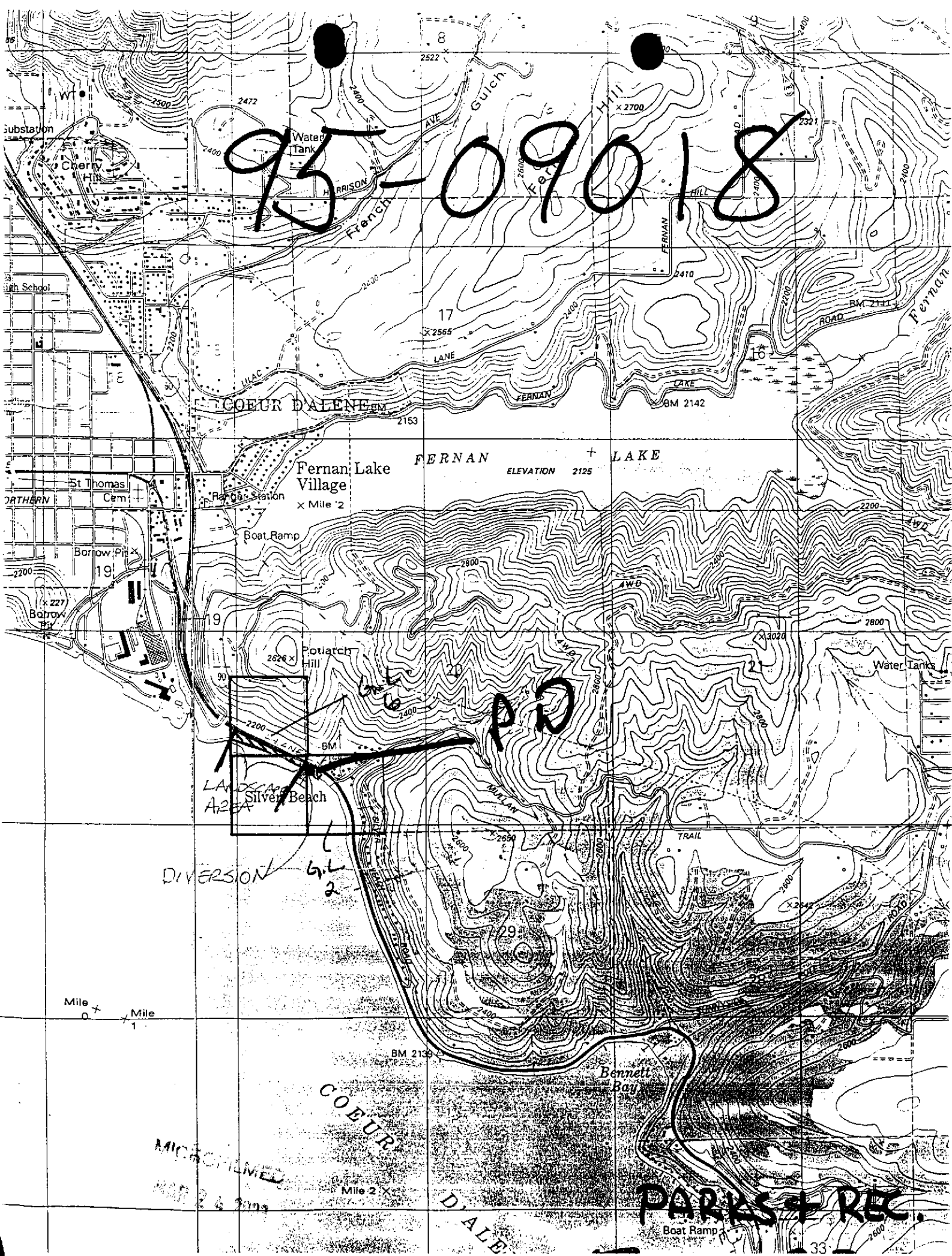
Indicate Method of Determination

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	03W	19													09			01	1
													GL	06			GL	06	

MICROFILMED

MAR 24 2003

95-09018



PD

DIVERSION G.L. 2

PARKS & REC.

MICROFILMED
MAR 24 1979

COEUR D'ALENE

D'ALENE

95-09018



PW

Pressure tank
controls, under
restaurant

PV

MICROFILMED
MAR 24 2003

E. NARRATIVE/REMARKS/COMMENTS

Area measurement done by pacing. Notice
I rounded up to 1 acre

Measurement

This system is completely underground. There is
a pressure gage on it, it maintains 50 PSI while running
one zone 10 hedges (Irrigated x 10 acres) measuring are I
estimated them at 3.5 gpm each. Which concurs with
theoretical calculations.

I called company that put in system. They
told me it's a 25 gpm system. I feel more
confident in theoretical. You Call.

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

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MAR 24 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$\frac{30 + (2.31 \times 50)}{145.5} = 12.32 = 108 \text{ cfs}$$

See computation 3

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3 = 3$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 108 \times 1.9835 \times 1.9835 = 3.8$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 3$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

3

Period of Use

From 03-15 To 11-15

Rate of Diversion

Q (cfs) 108

Annual Volume

V (ata) 3

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

Wayne J. Baker

Date

9-11-02

Reviewer

Date

SEAL

MICROFILMED

MAP 2 - 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEPT OF PARKS AND RECREATION
2750 KATHLEEN AVE #1
COEUR D ALENE ID 83815

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09018

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 18 2001

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 95-09018 Reviewed by YSS Date 01-05-00

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

for - 3 ac

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?

☒ Copy in the file? Drilling Permit No.

☒ Amount paid for permit

☒ Well log in the file?

☒ Correct?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

NO Required?

☒ Installed?

☒ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

 -
 =
 +

DEFICIENCIES OR ACTION ITEMS

need the sample of \$50⁰⁰
none / ack proof

DATA ENTRY

New Address

Proof Made 1-28-00



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 5, 2000

DEPARTMENT OF PARKS & REC
2750 KATHLEEN AVE #1
COEUR D'ALENE, ID 83815

RE: PERMIT NO. 95-09018

Dear Permit Holder:

Returned is a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit. The proof is not acceptable, since it was not accompanied by the required \$50.00 license examination fee.

Please return the copy of the proof form along with the \$50.00 license examination fee within **30 days** of receipt of this letter. **Please also address your correspondence to my attention.**

Feel free to contact me if you have questions regarding this matter.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

JAN 16 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

July 14, 1999

DIRK KEMPTHORNE
GOVERNOR

STATE OF IDAHO
DEPT OF PARKS & REC
2750 KATHLEEN AVE #1
COEUR D ALENE ID 83815

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09018

Dear Permit Holder:

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

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

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

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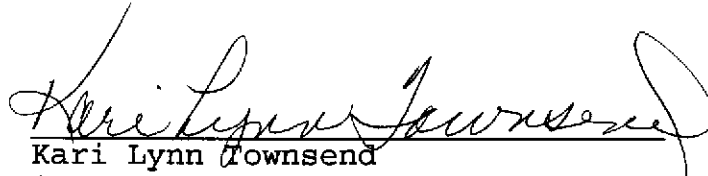
JAN 18 2001

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of July, 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. 95-09018

STATE OF IDAHO
DEPT OF PARKS & REC
2750 KATHLEEN AVE #1
COEUR D ALENE ID 83815


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.

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JAN 18 2001

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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 95-09018 Name: IDPR Date: 7/12/99 Ad OK? ☒ / Gvmt Lts: by Curtis

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: 6/29/99 RESPONSE: screen/velocity cond. wanted.

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT

WD (✓ MAP & LISTING)

- > 0.20 cfs - P62 (stream channel alteration)
- ≤ 0.20 cfs - 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 (FERC); 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:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

0.015/2000

7/11/2000

*turber shorter irr. times = 04 cfs/ac ok
spec. R66 cond.

RECEIVED

JUL - 6 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETWR1
WPA
PCAAPPLICATION # 95-09018

Department of Water Resources

INITIAL REVIEW

APPLICANT: PARKS + REC.BY: ABDATE: 5 / 20 / 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: 5 / 20 / 99x (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?
<u>+</u>	<u>+</u>	Dom. Non-Dom.	Paid \$		Y () N ()
<u>+</u>	<u>+</u>	Dom. Non-Dom.	Paid \$		Y () N ()
<u>+</u>	<u>+</u>	Dom. Non-Dom.	Paid \$		Y () N ()

Groundwater management area

Critical ground water area

Well Drilling Permit required

Well Drilling Application and Fees received

Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

Notice of pending void order issued. Final order response date: / /

Further information required from applicant

6/11 Affidavit of publication received6/11 Application published correctly. If not, record action taken: _____5/26 Publication dates and paper recorded on applicationSr. Agent initial ABProtests received, Final protest date: 6 / 31 / 99

Measuring device required

Measuring port required

✓ Special conditions:

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

Approval Recommended by: AB RYADate: 6 / 29 / 99

Memorandum

Date: June 29, 1999

To: Application for Permit Number 95-09018

From: Beardslee

~~~~~  
The Northern Regional Office has contacted the Panhandle Region of Fish and Game regarding the approval of this Water Right Application for Permit.

After providing the location, source and uses of water, Chip Corsi suggested the following conditions for approval:

✓ The intake structure should be screened to 1/4 inch or less mesh and that the intake velocities be 1/2 feet per second, or less.

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JAN 1 R 2009

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Kootenai } ss.

*Shaeir 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 *10* day of *June*, 19*99*, and ending on the *19* day of *June*, 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.

*Shaeir Walker*

Subscribed and sworn to before me this *10* day of *June*, 19*99*.

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

**NOTICE OF APPLICATION FOR WATER RIGHT**  
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

95-09018

*ck*

STATE OF IDAHO  
DEPT OF PARKS & REC  
2750 KATHLEEN AVE #1  
COEUR D'ALENE, ID 83815  
SOURCE: COEUR D'ALENE LAKE  
DIVISION Pt. LOT 2 (SWSW)  
USE: IRRIGATION  
Tributary: SPOKANE RIVER  
Sec 20 T 50N R 03W in KOOTENAI County.  
(0.120 CFS)  
(0.120 CFS)

Date Filed: 5/19/1999  
In: KOOTENAI County  
T30N R03W S19 Lot 6 (NESE)  
S20 Lot 2 (SWSW)  
3.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.  
The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before JUNE 21, 1999.

KARL J. DREHER, Director

Legal 218  
June 3, 10, 1999

*ck*  
**RECEIVED**  
JUN 11 1999  
IDWR/North

MICROFILMED

95-09018

STATE OF IDAHO  
DEPT OF PARKS & REC  
2750 KATHLEEN AVE #1  
COEUR D ALENE, ID 83815

Source: COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

Diversion Pt: LOT 2 (SWSW) Sec 20 T 50N R 03W in KOOTENAI County.

|                  |   |            |
|------------------|---|------------|
| Use: IRRIGATION  | ( | 0.120 CFS) |
| Total Diversion: | ( | 0.120 CFS) |

Date Filed: 5/19/1999

In: KOOTENAI County  
T50N R03W S19 Lot 6 (NESE)  
S20 Lot 2 (SWSW)

3.0 ACRES TOTAL

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JAN 14 2001

May 26, 1999

State of Idaho  
Department of Parks & Recreation  
2750 Kathleen Ave Suite 1  
Coeur d Alene ID 83815

Re: Water Appropriation Application No. 95-09018

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 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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JAN 1 8 2000