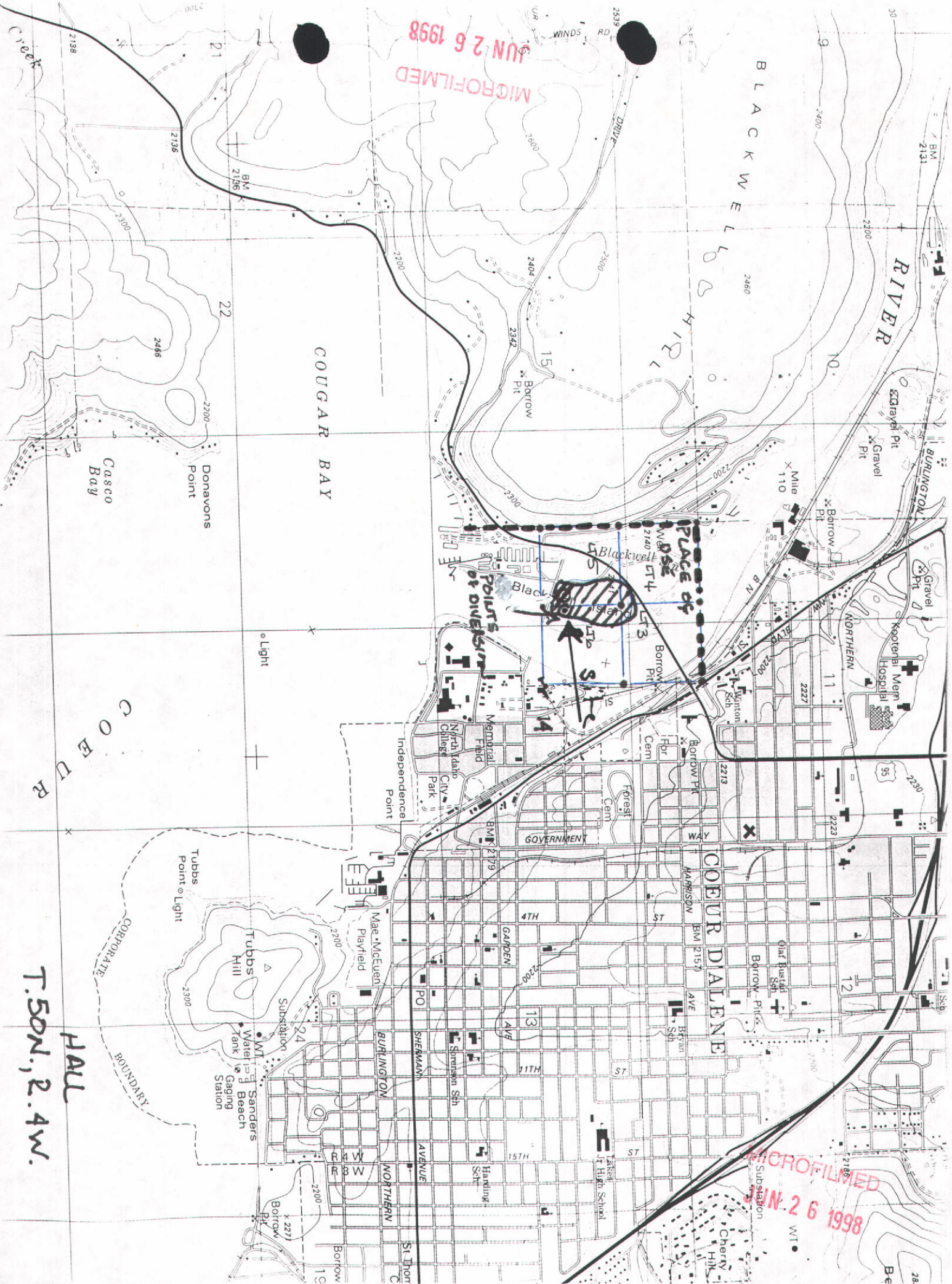


MICROFILMED
JUN 26 1998

MICROFILMED
JUN 26 1998



HAL
T.50N, R.4W.

[illegible]

MICROFILMED
Ser. 35
2927
JUN 26 1998

95-8981

eq. 3/25/98

Dir. 170
10-11-17

Fort Skinner Military Reserve

53

P
D'ALEN'E

$$\frac{N}{M}$$

95-8981
CJ. 3/25/98

*Plant of Fort Sherman
Abandoned Military Reserve*

Abundant Military Reservations
in New Mexico, 15 pp. 30 N. & 8. 1908
IDAHO
Shore located by U.S. & C. Foundation of Shores,
under instructions from Gen. David Miller,
dated June 2nd 1897
Route 5, Minus, Idaho.

[illegible]



95-08981



95-08981



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MICROFILMED
MAR 24 2003



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MICROFILMED
MAR 24 2003



95-08



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MAR 24 2003



95
MICROFILMED
MAR 24 2003



~~SUGAR BAY~~
95-08981

HALL
T.50N., R.4W.

MICROFILMED
MAR 4 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-08981

Priority: February 12, 1998

Maximum Diversion Rate: 0.12 CFS
Maximum Diversion Volume: 18.0 AF

It is hereby certified that MARK HALL
1000 N MARINA DR
COEUR D ALENE ID 83814 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 12, 1998; and has
submitted Proof of Beneficial Use on March 07, 2000. An examination indicates that the works have a
diversion capacity of 0.12 cfs of water from:

SOURCE

SPOKANE RIVER

Tributary: COLUMBIA 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	0.12 CFS	18.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPOKANE RIVER L6 (SE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 14, 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 14					.5	.1	1.9	3.5									6.0
					L3	L4	L5	L6									

Total Acres: 6

CONDITIONS OF APPROVAL

1. 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.
2. Water shall not be diverted under this right when flows in the Spokane River are below established minimum flows.

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 31st day of DECEMBER, 2002.

MICROFILMED

MAR 2 4 2000

Acting for

KARL J. DREHER
Director

FOR OFFICE USE ONLY
Amt. of Fee \$ 50.00
Receipt No. 1248305
Receipt By: [Signature]
Date Received: 3-7-06

RECEIVED

MAR 6 . 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 95-08981 Telephone No. 208-665-1300

2. Name of Permit Holder(s): MARK G. HALL

3. Mailing Address: 800 . S. MARINA Dr.

City Coeur d'Alene State ID Zip 83814

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

a. Well Driller: _____ Drilling Permit Number: _____

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

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

Irrigation (No. of acres): 7 acres Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 30 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 X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50 (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: MARK HALL Telephone Number: 208-660-2734

Address: Same as above

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: [Signature]
(include your title, if on behalf of company of organization)

Date: 3/2/00

OWNER

MICROFILMED

JAN 18 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-08981

Proposed Priority: February 12, 1998 Maximum Diversion Rate: 0.22 CFS

This is to certify, that **MARK HALL**

1000 N MARINA DR

COEUR D ALENE ID 83814

has applied for a permit to appropriate water from:

SPOKANE RIVER

tributary of **COLUMBIA RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

03/15 to 11/15

0.22 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 6(SENW), Sec. 14, Township 50N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

50N 04W 14

Lot 3(NENW)

1.0

Lot 4(NWNW)

1.0

Lot 5(SWNW)

2.0

Lot 6(SENW)

2.0

6.0

Total number of acres irrigated:

6.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 2000**.
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. Two points of diversion are located within Lot 6 (SENW), S14, T50N, R04W.
5. Water shall not be diverted under this right when flows in the Spokane River are below established minimum stream flows.
6. This right when combined with all other rights shall provide no more than 0.04 cfs nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

27th day of March, 1998.

MICROFILMED

JUN 28 1998

Karl J. Dreher
Karl J. Dreher, Director

Ident. No. 95-08981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

MAR 19 1998

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant MARK HALL Phone 640-4567
Mailing address ~~1000 N MARINA DR. C/A~~ 1000 N MARINA DR. C/A 83814

2. Source of water supply GROUNDAWATER ^{SPOKANE RIVER} which is a tributary of COLUMBIA RIVER

3. Location of point of diversion is Township 50 N Range 4 W Sec. 14, in the 1/4,
2pts. SE 1/4, NW 1/4, Govt. Lot 34566, B.M., Kootenai County;
additional points of diversion if any: See Attached legal BENJAMIN, 197,300. B.M.

4. Water will be used for the following purposes: *per govt plat 3/25/98
Amount .22 for Irrigation purposes from May 1 to Sept 30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .22 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source pump & sprinklers

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

c. Proposed well diameter is _____ inches; proposed depth of well is 16 feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year)

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

e. Other; describe fully. _____

⊗ per standard irrigation season 3/25/98 cz.

MICROFILMED
JUN 28 1998

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 E				S W				TOTALS
50N	4W	14																	6 Acres

Total number of acres to be irrigated

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

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

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

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

ឈ្មោះ ឈ្មោះ

12. Remarks: Irrigation of RV Park will be at night with a well pump not to ~~exceed~~ be more than 100 gal. per minute. Because of the usage of the land a rate in excess of .02 cfs per acre is requested.

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

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

Signature of Applicant (and title, if applicable)

Received by

Publication prepared by

Date _____

2/15/88

Date _____

86/12/10

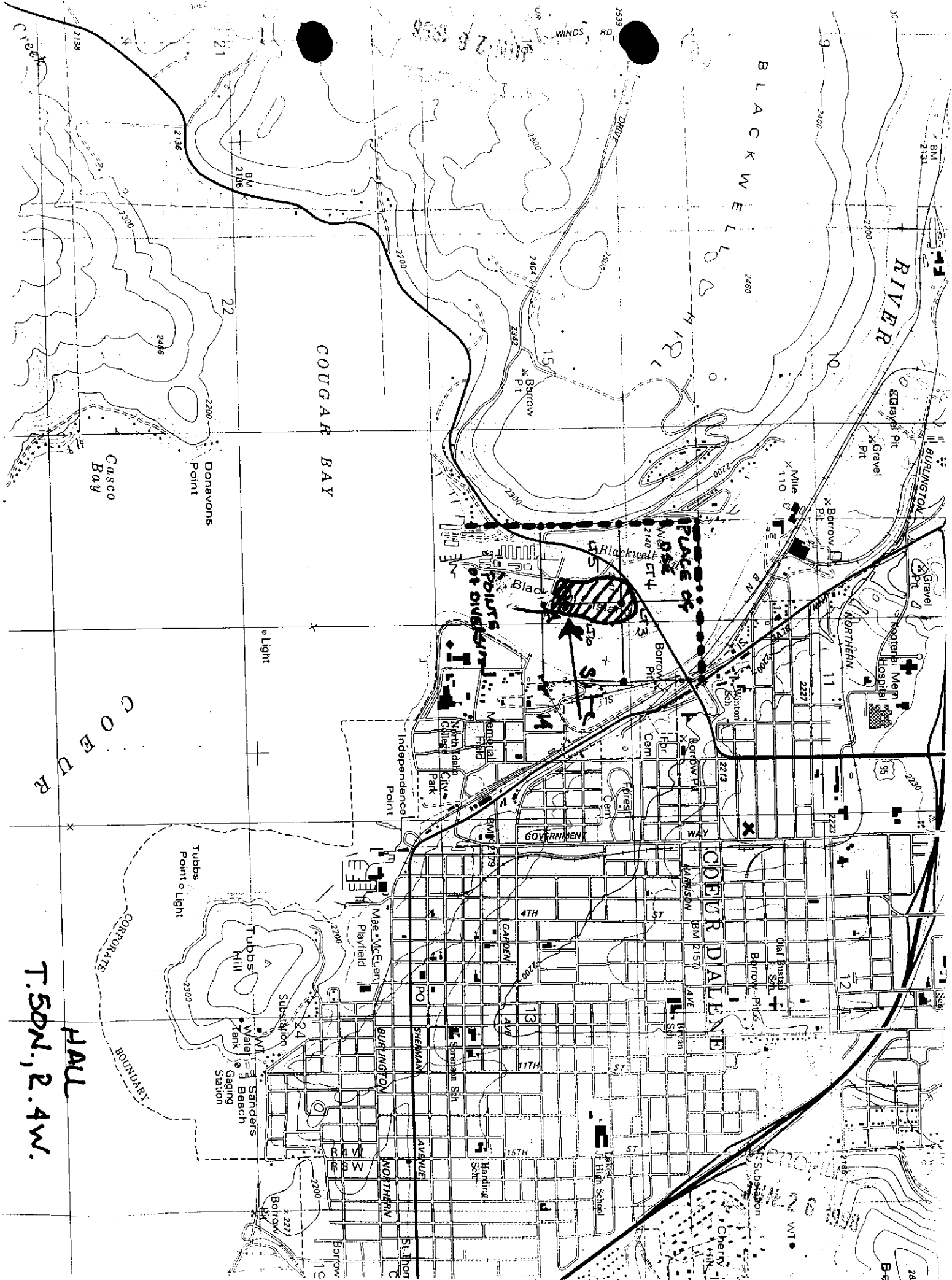
Preliminary check by 11812 -

#

Date _____

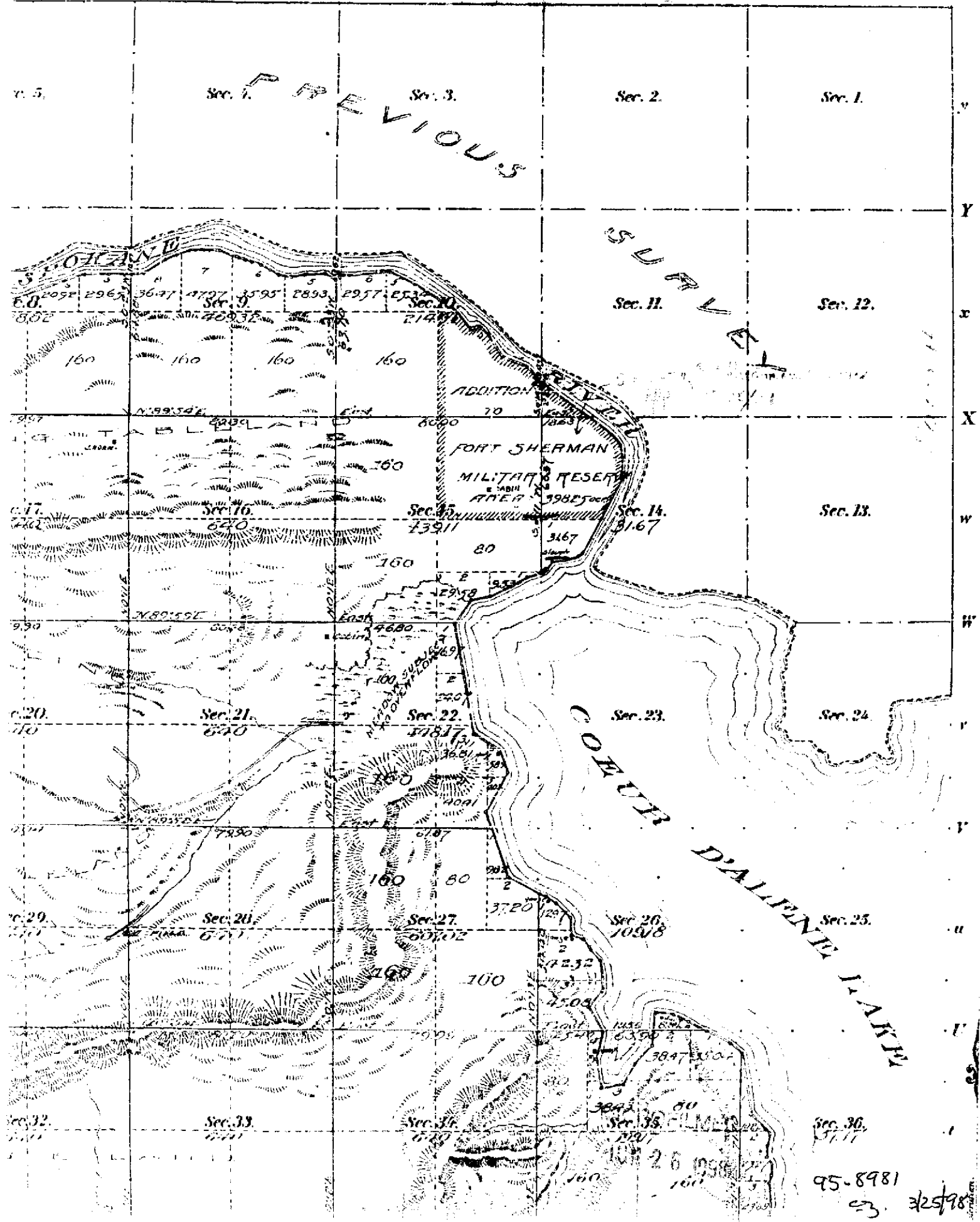
861 of 1416 continued

86/2175



HAL
T. SON, 2.4W.

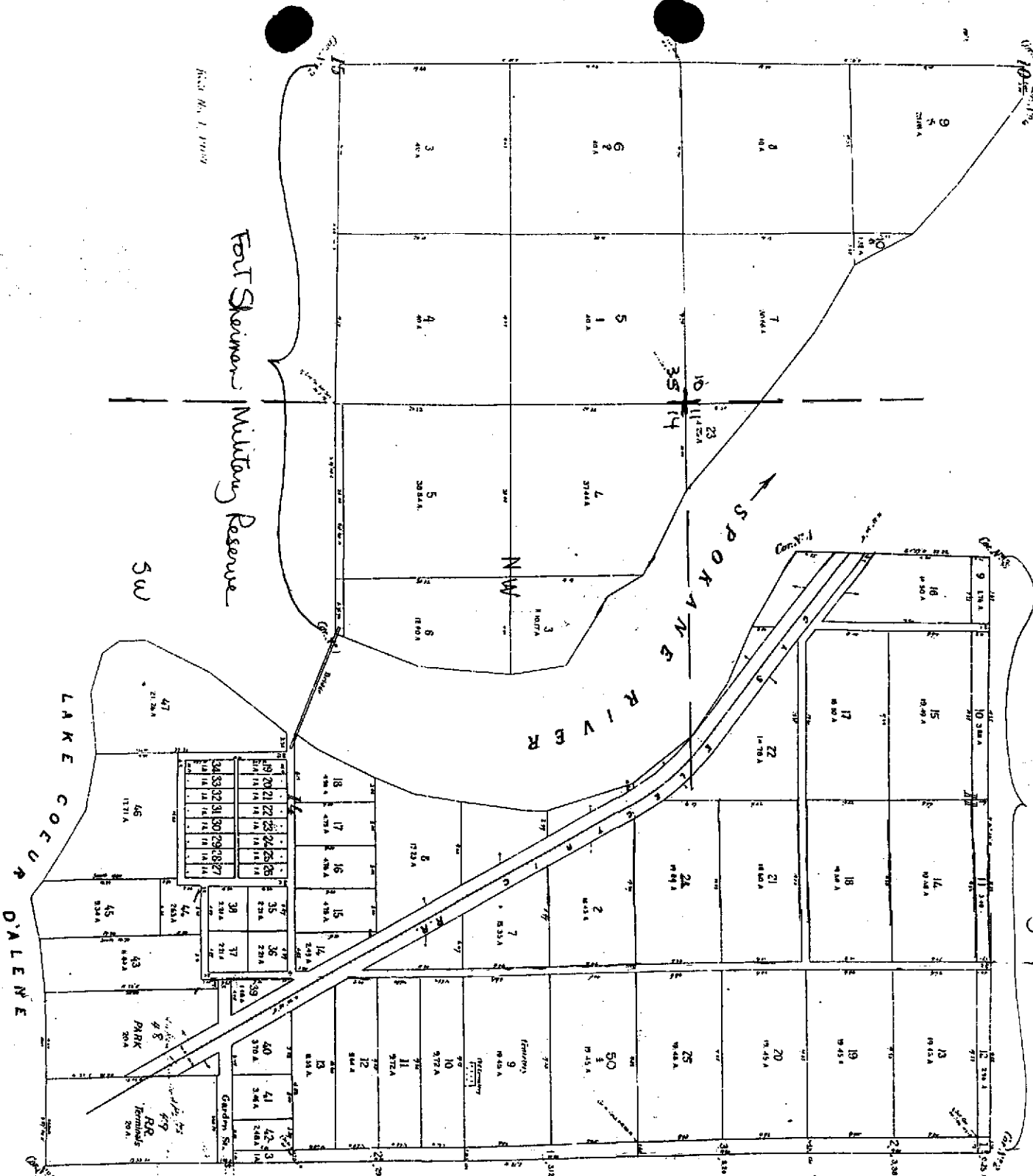
10th Standard Parallel Line North



95-8981
325/98

10-11-1916

Coeur D'Alene Military Reserve



958981

CS 3/25/98

Plan of Fort Sherman

Abandoned Military Reservation

IDAHO

Survey conducted by U.S. Army, Engineer Corps, under instructions from the War Department, dated June 2, 1901.

Scale 5 inches = 1 mile.

1901

Fort Sherman, Idaho, is situated on the left bank of the Snake River, about 10 miles from the mouth of the river.

The above plan of Fort Sherman, abandoned Military Reservation, was prepared by the U.S. Army, Engineer Corps, under instructions from the War Department, dated June 2, 1901. The plan shows the location of the fort, the river, and the surrounding country. The plan is drawn to a scale of 5 inches = 1 mile.

Dr. R. A. N. S.

1901

BLACKWELL ISLAND C-17

A PARCEL OF LAND IN GOVERNMENT LOTS 3, 4, 5, AND 6, ALL IN SECTION 14, TOWNSHIP 50 NORTH, RANGE 4 WEST, B.M., KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 14; THENCE S 60°26'40" W, 2213.63 FEET TO THE INTERSECTION OF THE CENTERLINE OF MARINA DRIVE AND THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HIGHWAY #95 AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE ALONG THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING COURSES: 631.99 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1849.86 FEET, A CENTRAL ANGLE OF 19°34'29", A CHORD BEARING OF N 47°12'48" E, AND A CHORD DISTANCE OF 628.92 FEET;

THENCE N 62°31'56" E, 352.28 FEET TO THE APPROXIMATE SUMMER POOL CONTOUR (ELEV. 2128.0 WWP) OF THE SPOKANE RIVER;

THENCE LEAVING THE SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND ALONG THE SAID APPROXIMATE SUMMER POOL CONTOUR THE FOLLOWING COURSES: S 68°58'37" E, 52.41 FEET;

THENCE S 40°37'55" E, 227.59 FEET;

THENCE S 14°53'35" E, 158.30 FEET;

THENCE S 21°15'36" E, 177.02 FEET;

THENCE S 19°24'11" E, 205.82 FEET;

THENCE S 05°04'31" W, 262.56 FEET;

THENCE S 09°05'39" W, 174.56 FEET;

THENCE S 17°40'06" W, 268.85 FEET;

THENCE S 20°07'44" W, 210.85 FEET;

THENCE S 21°07'39" W, 157.14 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE ABANDONED OLD HIGHWAY 95;

RECEIVED
JUN 2 8 1992



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 2, 2003

MARK HALL
1000 N MARINA DR
COEUR D ALENE ID 83814

RE: License No. 95-8981 - 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

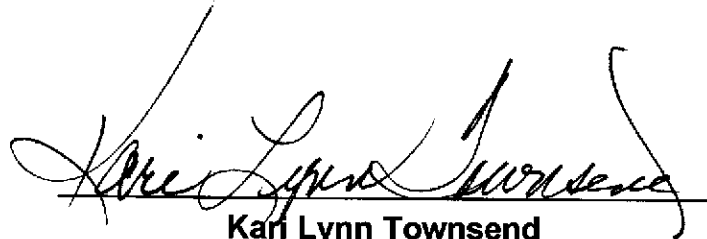
CERTIFICATE OF SERVICE

I hereby certify that on January 2, 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.

95-8981

MARK HALL
1000 N MARINA DR
COEUR D ALENE ID 83814



Karl Lynn Townsend
Secretary

MICROFILMED

MAR 2 4 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.

MICROFILMED

MAR 2 4 2009

MEMORANDUM

Date: December 31, 2002
To: Water Right File 95-8981
From: S. Keen *SK*
Re: Licensing Review

Licensing Review by S. Keen on 12/31/2002

PLACE OF USE -- New aerial photography was not available when confirming the place of use. Therefore, when I digitized the place of use I included most of the property, even though some areas are obviously not included because they are in roads, trailer pads, etc. The acreage per tract was adjusted slightly to more closely match the digitized place of use.

MICROFILMED

MAR 24 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. 95-08981

1. Owner: Mark Hall Phone No. (208) 665-1300

Current Address: 1000 N. Marina Dr; Coeur D Alene Id 83814

2. Accompanied by: Mark Hall EXAM DATE: 8-29-01

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spokane River tributary to Columbia River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	14	50N	04W	Kootenai	US GS 7.5 min Quad

2. Place(s) of Use:

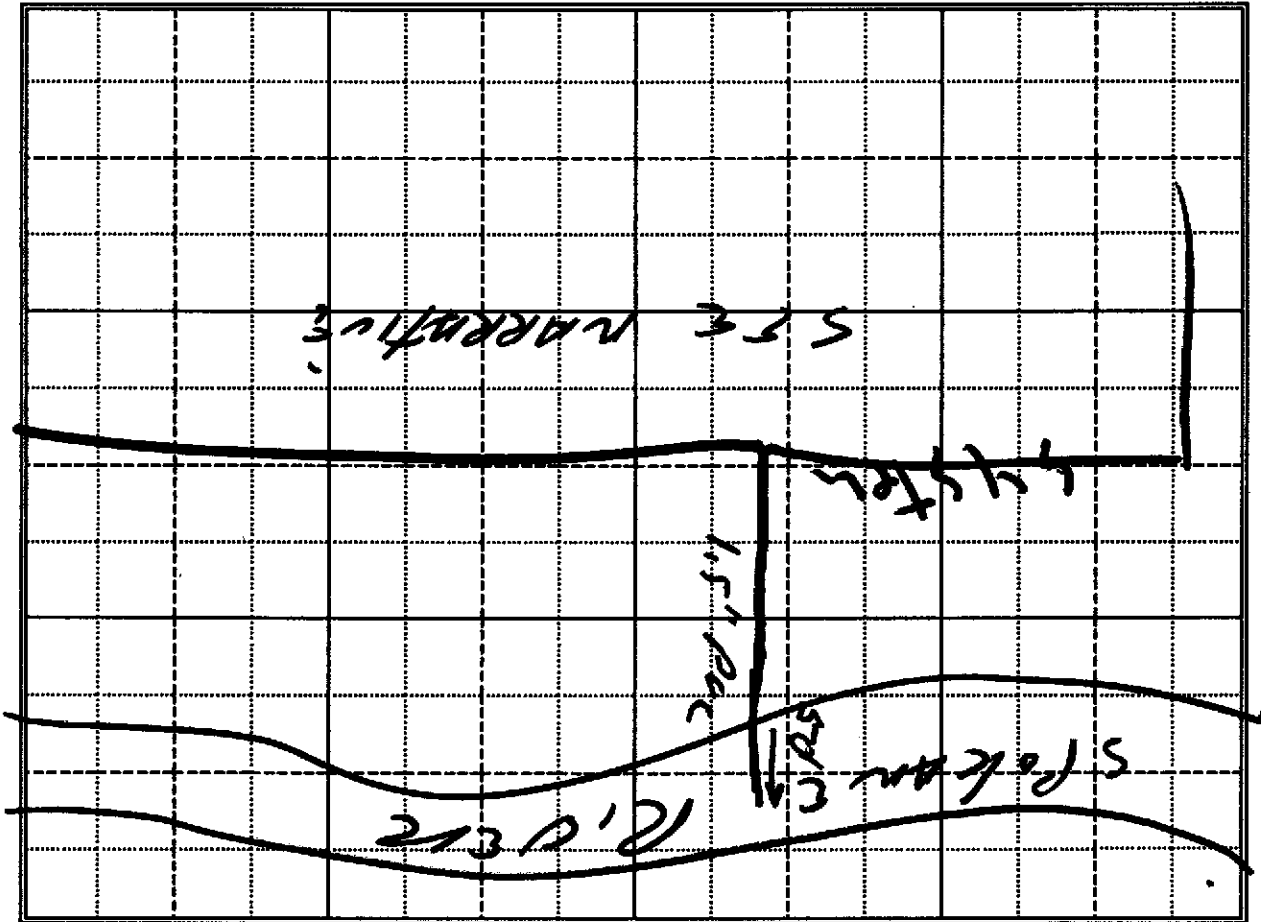
Indicate Method of Determination

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	04W	14					1	1	2	2									06

MICROFILMED

MAR 24 2003

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.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 of _____
 _____ (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	7.5	8828019310	506	1.5

*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:

MICROFILMED

1982 2 4 2003

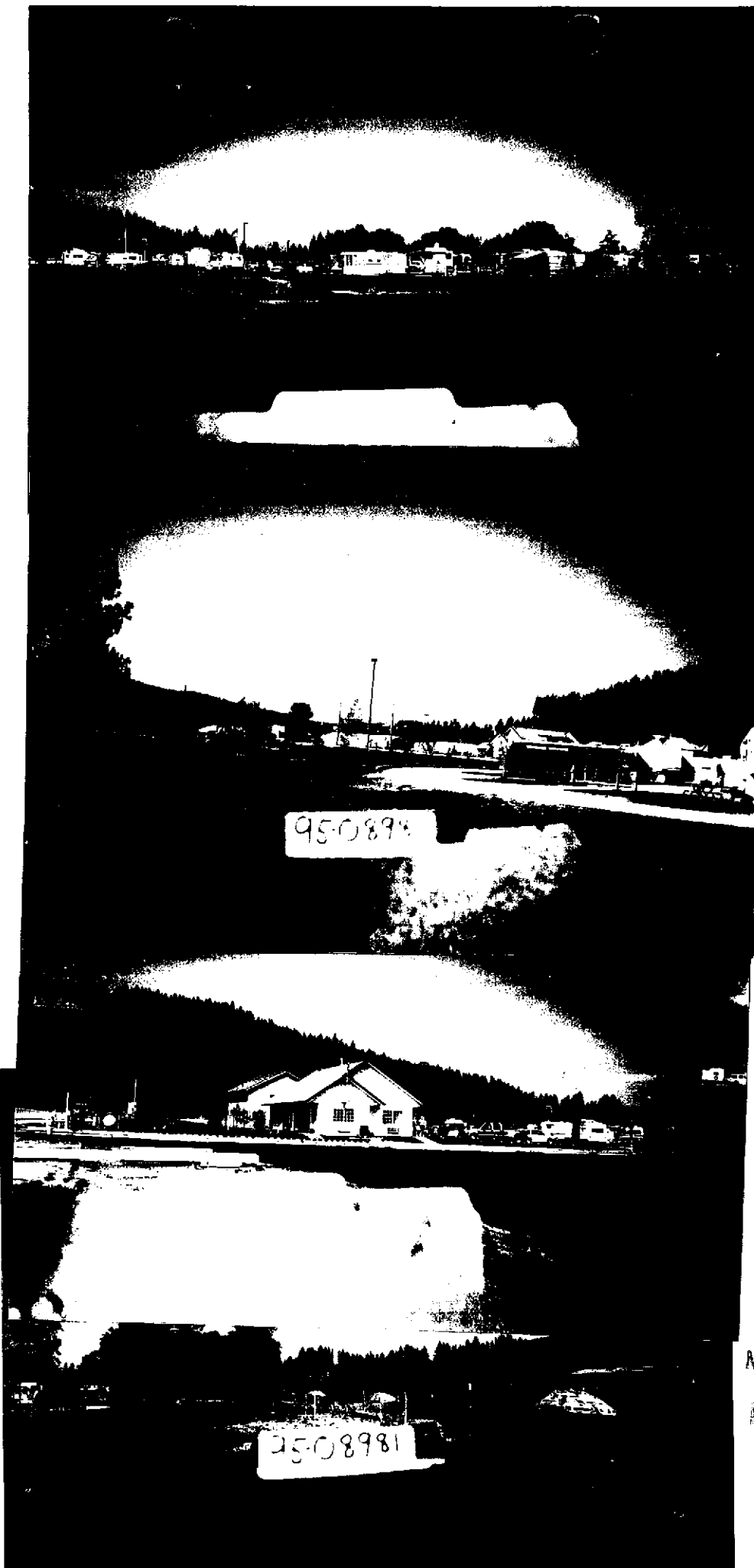


95-08981

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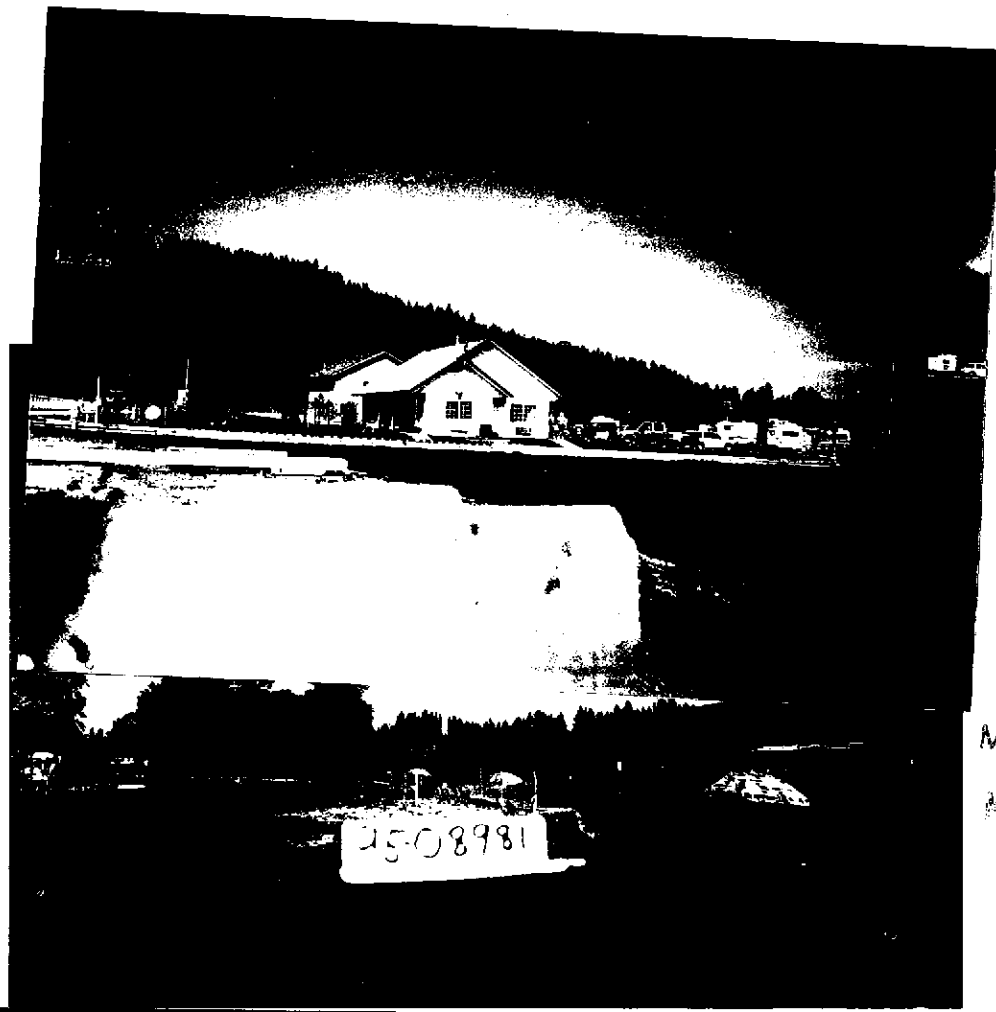
95-08981

MICROFILMED
MAR 24 2003



95-0898/

MICROFILMED
MAR 24 2003



9508981

95-08

MICROFILMED

MAR 24 2003

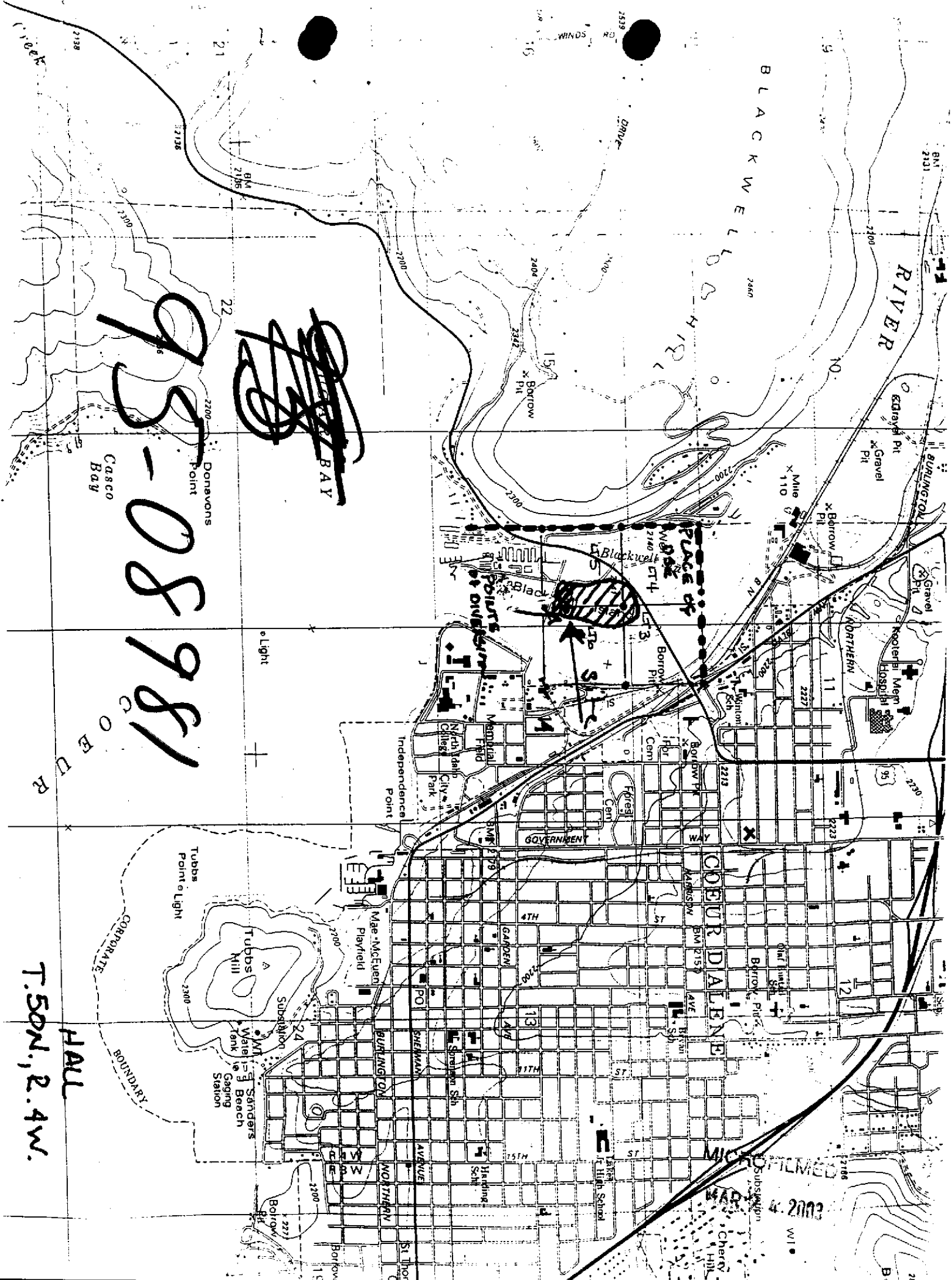


953
MICROFILMED
MAR 24 2003

95-08981

~~BLACKWELL BAY~~

T. SON, R. 4W.



E. NARRATIVE/REMARKS/COMMENTS

Only a single point of diversion
exists (not 2).

The system consist of 18 zones 50 head
each. The heads are Toro 570 Pop ups.
The entire system is underground. The pump
can only handle 1 zone at a time. The
heads are 1.04 gpm at 40 lbs. And cones a
14' dia. I measured the dia at 14'. Then
Mr. Hall & myself dug up various heads
and replaced them with one of our pressure
gages and ran the system it was operating
at 40 PSI. at this point I accept that
the manufactures chart is no. 50 head at 1.04 gpm

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

MICROFILMED

MAR 24 2003

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached
 50 heads at 1.04 gpm 52 gpm
 $52 \times 1.133681 = 58.95$
 60

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 6 \times 3 = 18$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.2 \times 245 \times 1.9835 = 578.3$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 18$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Longaker

Period of Use
 From 03-15
 To 11-15

Rate of Diversion
 Q (cfs)
 0.12

Annual Volume
 V (afa)
 18

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 9-25-01

SEAL

MICROFILMED
 MAR 24 2003



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

April 27, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK HALL
800 S MARINA DR
COEUR D'ALENE ID 83814

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08981

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 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 Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
JAN 18 2001

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 95-08981 Reviewed by D. Ellis Date 4/27/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
No Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irrigation

Correct Uses? _____

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

☐ Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received 3/7/00
Date proof due 4/1/00 -
No. of days late _____ =
Priority Date _____ +
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address 800 S. Marina Dr. Proof Made 3/7/00
Coeur d'Alene, Id. 83814

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: L048305

Date: 3/ 7/2000
Time: 10:39:47

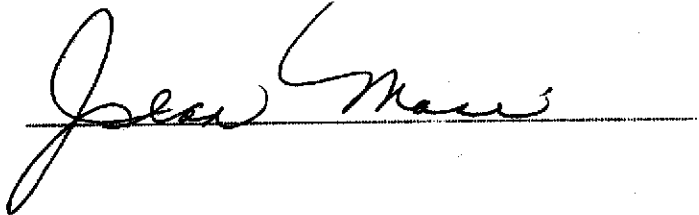
Received
From: BLACKWELL ISLAND RV PARK

	Type of Payment		Program A cct	Amount
BENEFICIAL USE	# 95-08981	56104	229 21 1155	50.00

CHECK 2463

Total \$ 50.00

Region: STATE

Signature: 

MICROFILMED
JAN 18 2001

January 31, 2000

MARK HALL
1000 N MARINA DR
COEUR D ALENE ID 83814

PROOF DUE NOTICE

RE: PERMIT NO. 95-08981

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 April 1, 2000.

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

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

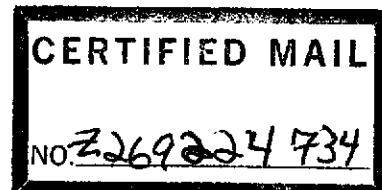
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
JAN 18 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

March 30, 1998

PHILIP E. BATT
GOVERNOR

MARK HALL
1000 N MARINA DR
COEUR D ALENE ID 83814

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08981

Dear Permit Holder:

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

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

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

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

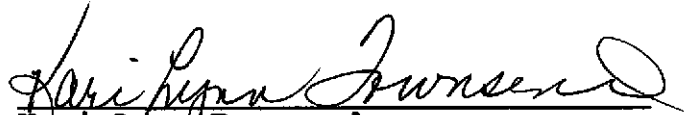
JUN 26 1998

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of March, 1998, 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. 95-08981

MARK HALL
1000 N MARINA DR
COEUR D ALENE ID 83814


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 26 1998

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.

MICROFILMED
JUN 26 1998

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 REVIEW

by *Cindy Loe*
 No.: 95-8981 Name: Hall Date: 3/25/98 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)

WMD (✓ MAP)

> 0.24 cfs/5 acres

- 067 or No MD (in-stream stock or power)

≤ 0.24 cfs/5 acres

- No MD

WMD Supplemental use

> 0.24 cfs/5 acres

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

≤ 0.24 cfs/5 acres

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

- 046-P23

Included w/permit

- Permit No. _____ - _____ - _____ - _____, P99

irr. in WD

- P05 (new well location)

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

1st ABOVE MIN. STR. FLOW (✓ MAP)

- *WB9 Spokane R.

WD (✓ MAP & LISTING)

- R04 (WD # _____)

> 0.10 cfs

- 01J-P08 (MD & LD)

≤ 0.10 cfs

- 01H-P01 (LD) 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

USE:

Domestic surface

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

>1 in rest. area

- 071-070

Fire Protection

- 077

Fish Propagation

- 029-007-042(req)-081 (WQ)-P10

Heating/Cooling

- R07 (injection well)

Irr ≤ 5 acres

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

> 5 acres W31

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

Mining

- 054(req)-081-P10

Municipal

- 022, 075, 004 (+memo?), NA (not in restricted area)

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

Stockwater

- R37 (BLM/USFS); NA

Storage (✓ 3 compo.)

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

- P84 (in 20/30/40/50/60/70/80 (87) basin)

Boise Front LoGeo

- 058 (<85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

SWAN FALLS FLAG (See Code Chart)

-

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:**STANDARD REMARKS:**- 1) WB9 2) W31 3) W32**BENEFICIAL USE DUE:**

- 4/1/ 2000

COMMENTS:

- *standard season

*add gov. Lts

**IDaho DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

RECEIVED

MAR 19 1998

APPLICATION # 95-08981

INITIAL REVIEW

DEPARTMENT OF WATER RESOURCES

APPLICANT: HALL

BY: _____ DATE: 2/12/98

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

- (Yes) (No)
- ___ ☒ Field check: by _____
 - ___ ☒ Field report attached
 - ___ ☒ Analysis Supp. attached(>5cfs/500af)
 - ___ ☒ Water delivered by water master?
 - ___ Water District # _____

PROCESSING

- (Yes) (No) PRIORITY DATE: 2/12/98
- ___ ☒ (Include Moratorium Remark)
 - ___ ☒ Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: Kootenai County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: n/a

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: n/a

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
___ <u>7</u>	Dom. ___ Non-Dom. ___	Paid \$ _____	_____	Y () N ()
___ <u>6</u>	Dom. ___ Non-Dom. ___	Paid \$ _____	_____	Y () N ()
___ <u>7</u>	Dom. ___ Non-Dom. ___	Paid \$ _____	_____	Y () N ()

- ___ 7 Groundwater management area
- ___ 7 Critical ground water area
- ___ 7 Well Drilling Permit required
- ___ 7 Well Drilling Application and Fees received
- ___ 7 Well Drilling Application approved?

Remarks: NO DRILLING PERMIT REQUIRED.

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: _____
 - 2/12/98 Publication dates and paper recorded on application | Sr. Agent initial AS
 - ___ ☒ Protests received, Final protest date: 3/9/98
 - ___ ☒ Measuring device required
 - ___ ☒ Measuring port required
 - ___ ☒ Special conditions:
 - ___ ☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: [Signature]

Date: 3/11/98

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

SHELLEY KARMIERCZAK 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 19 day of Feb., 1998, and ending on the 26 day of Feb., 1998, 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.

Shelley Karmierczak

Subscribed and sworn to before me this 26 day of Feb., 1998.

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:

95-08981

HALL, MARK
1000 N MARINA DRIVE
COEUR D ALENE, ID 83814
Source: SPOKANE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: SENW
Sec 14 T 50N R 04W in, KOOTENAI County.

Use: IRRIGATION (0.220 CFS)
Total Diversion: (0.220 CFS)

Date Filed: 2/12/1998

In: KOOTENAI County

T50N R04W S14

NENW NWNW SWNW SENW
6.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before MARCH 9, 1998.

KARL J. DREHER, Director

Legal 771

February 19, 26, 1998

FEB 27 1998

NORTHERN REGION
IDWR

RECEIVED

FEB 27 1998

MICROFILMED

JUN 26 1998

NORTHERN REGION
IDWR

95-08981

HALL, MARK
1000 N MARINA DRIVE
COEUR D ALENE, ID 83814

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: SENW Sec 14 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION (0.220 CFS)
Total Diversion: (0.220 CFS)

Date Filed: 2/12/1998

In: KOOTENAI County
T50N R04W S14 NENW NWNW SWNW SENW

6.0 ACRES TOTAL

MICROFILMED
JUN 26 1998

February 12, 1998

Mark Hall
1000 N Marina Drive
Coeur d Alene ID 83814

Re: Water Appropriation Application No. 95-08981

Dear Mr. Hall::

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

RECORDED
JUN 26 1998



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

PHILIP E. BATT
Governor

KARL J. DREHER
Director

FEBRUARY 12, 1998

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

Gentlemen:

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

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

Please send the affidavit of publication and publication billing to this office before MARCH 9, 1998.

Yours truly,

Dianne Ball

DIANNE BALL
Senior Secretary

Enclosure

Please call to acknowledge receipt.

Date	2/12/98	# of pages	4
From	Dianne Ball		
To	Beth Bender		
Co./Dept	Legal Notices		
Phone #	CDA Press		
Fax #	664-0212		

7671 Post-it® Fax Note

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

JUN 26 1938

95-08981

HALL, MARK
1000 N MARINA DRIVE
COEUR D ALENE, ID 83814

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: SENW Sec 14 T 50N R 04W in KOOTENAI County.

Use: IRRIGATION (0.220 CFS)
Total Diversion: (0.220 CFS)

Date Filed: 2/12/1998

In: KOOTENAI County
T50N R04W S14 NENW NWNW SWNW SENW

6.0 ACRES TOTAL

67-200-12-1

JUN 26 1993

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d' Alene, Idaho 83814, together with a protest fee of \$25.00 on or before MARCH 9, 1998.

KARL J. DREHER, Director

Published: 2/19/1998 & 2/26/1998

APPROVED

JUN 26 1998

664-0212

6100-109