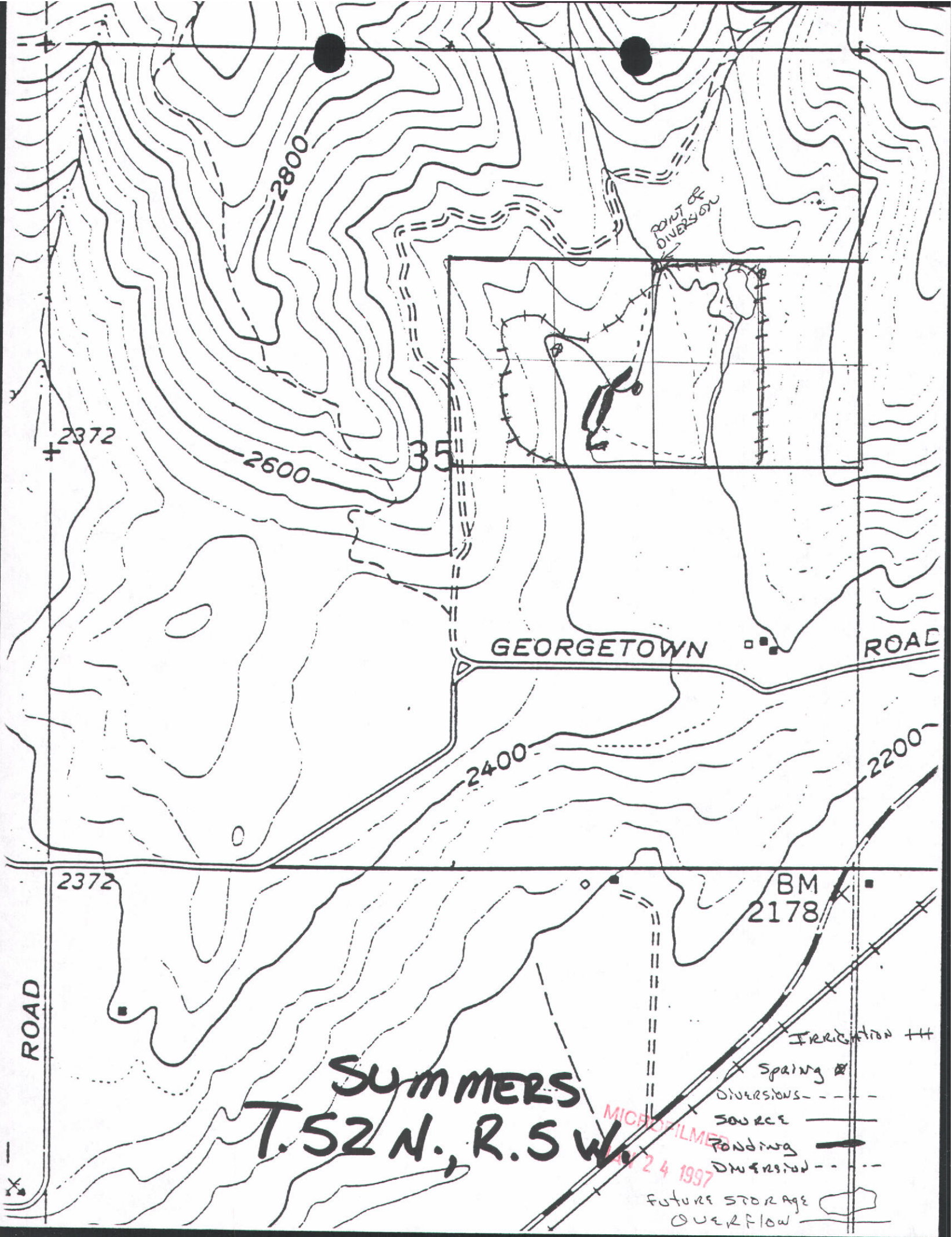




SUMMERS
T. 52 N., R. 5 W.

MICROFILMED
MAY 24 1997

- Irrigation --
- Spring •
- Diversion - - -
- Source —
- Ponding —
- Diversion - - -
- Future Storage Overflow —

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 19 2003

IDWR/North

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 95-08956 Telephone No. 691-8496
2. Name of Permit Holder(s): Chad DeVore, Terry Kiefer, Tim Kiefer
3. Mailing Address: Terry Kiefer - General Delivery -
city Rathdrum State ID Zip 83858
4. Source of Water: Springs + Unnamed stream If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): — Stockwater (No. and type of stock): Max 15
Irrigation (No. of acres): 30 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .60 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No _____
Has the measuring device been installed? Yes _____ or No ✓
8. Fee Enclosed: \$ 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: Chad DeVore Telephone Number: 687-5239
Address: 15267 Tanalarch Lane Rathdrum 83850
P.O. Box 1270 Rath.
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:

Terry Kiefer, Tim Kiefer, Chad DeVore
(include your title, if on behalf of company or organization)

Date:

12-18-03

MICROFILMED

MAR 29 2004

RECEIVED

For Office Use Only
\$25.00 Filing Fee
Receipt # 2016038
Date 12-19-03

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 19 2003
IDWR/North

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, Chad Summers (3/8), hereby assign to Chad Dolbre (3/8), Terry Kiefer (3/8) & Tom Kiefer (3/8)
(Permit Holder)
of 15267 Tamarack Ln, 16846 Riverbir Rd, 14814 N. Wright St.
Rathdrum, Id. 83858 (Full Address and Phone Number) Rathdrum, Id. 83858 Rathdrum, Id. 83858
(208) 687-5239 (208) 687-8496 (208) 687-4109
All my right, title, and interest in and to Permit No. 95-08956
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

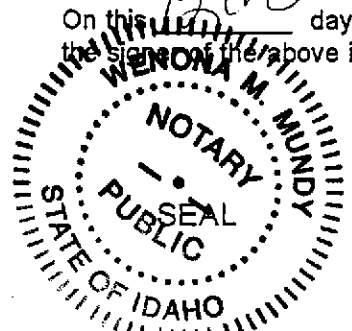
30 acres of Hay field

Made this 12 day of 12, 1903.

[Signature]
Permit Holder(s)

State of Idaho)
County of Bonner ss

On this 12th day of December, 2003, personally appeared before me
the signers of the above instrument, duly acknowledged to me that he/she/they executed the same.



Wenona Mundy
Notary Public
Residing in Priest River, Id.

My commission expires: 4/31/06

Signature

MICROFILMED

DEC 23 2004

DEC 9 1999

For Office Use Only
\$50 Fee Received by 5000
Date 12-10-99
Receipt No. 00474110
A. Koch

RECEIVED

DEC 9 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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

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

Permit No. 95-08956

Name(s) of Permit Holder: CHAD W. SUMMERS

Mailing Address: P.O. Box 166 Priest River Id. 83856

Date Proof is Due: 1/1/2000 Telephone No. 208 448 1338

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

Developing & Powering to direct all water to
crook & ditches for irrigation

Costing \$ 10,000.00

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

Total Cost!

Permit holder(s) request an extension to 2006

FEE: \$50.00

(Signature)

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 2004.

Signed this 25 day of January, 19 2000

L. Glen Saxton
L. GLEN SAXTON, Bureau Chief
Water Allocations Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 95-08956

Proposed Priority: October 3, 1996

Maximum Diversion Rate:

0.60 CFS

This is to certify, that **CHAD W SUMMERS**

11008 E 8TH

SPOKANE WA 99206

has applied for a permit to appropriate water from:

SPRINGS

tributary of **SINKS**

UNNAMED STREAM

tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.60 CFS	
IRRIGATION STORAGE	03/15 to 11/15		12.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		12.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	
STOCKWATER STORAGE	01/01 to 12/31		0.4 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		0.4 AF
RECREATION	01/01 to 12/31	0.60 CFS	
RECREATION STORAGE	01/01 to 12/31		12.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.60 CFS	
	Totals	0.60 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 35, Township 52N, Range 05W
NESWNE , Sec. 35, Township 52N, Range 05W
SESWNE , Sec. 35, Township 52N, Range 05W
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>
52N	05W	35	SWNW	30.0		30.0

Total number of acres irrigated: 30.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

PLACE OF USE: RECREATION, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 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.

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 95-08956

CONDITIONS OF APPROVAL AND REMARKS

4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Stockwater use is for 15 horses and range cattle.
9. Recreation use is for fishing.

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

18 th day of December, 1996

Karl J. Dreher
for Karl J. Dreher, Director

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 16 1996

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant CHAD W. SUMMERS Phone 509-927-7118
Mailing address 11008 E. 8TH SPOKANE WASH 99206
2. Source of water supply UNNAMED STREAM which is a tributary of SINKS
3. Location of point of diversion is Township 52N Range 5W Sec. 35, in the SW 1/4, NE 1/4, 1/4, Govt. Lot 1, B.M., KOOTENAI County;
additional points of diversion if any (SPRINGS) NE 1/4 SW 1/4 NE 1/4 + SE 1/4 SW 1/4 NE 1/4, S. 35, T. 52N, R. 5W.
4. Water will be used for the following purposes:
- | |
|--|
| Amount <u>0.6 cfs</u> for <u>DIVERSION TO STORAGE</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>IRRIGATION STORAGE</u> |
| Amount <u>12 AEA</u> for <u>IRRIGATION FROM STORAGE</u> purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>STOCKWATER STORAGE</u> |
| Amount <u>1.6 cfs</u> for <u>IRRIGATION</u> purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>STOCKWATER STORAGE</u> |
| Amount <u>0.4 AEA</u> for <u>STOCKWATER FROM STORAGE</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>RECREATION STORAGE</u> |
| Amount <u>0.02 cfs</u> for <u>STOCKWATER</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>RECREATION</u> |
| Amount <u>12 AEA</u> for <u>RECREATION</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) <u>12</u> |
5. Total quantity to be appropriated is (a) 0.6 and/or (b) 12
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 Ditching
- b. Height of storage dam 2-3 ⁽²⁴⁰³⁾₍₂₄₀₆₎ feet; active reservoir capacity 12 acre-feet; total reservoir capacity 12.5 acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 15 horses & cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. RECREATION USE IS FOR FISHING

MICROFILMED

JAN 24 1997

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

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

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

TWP	RGE	SEC	~~NE~~	~~SW~~	SE	TOTALS
-----	-----	-----	---------------	---------------	----	--------

[illegible]

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

a. Who owns the property at the point of diversion? Matt Jones W. Summers

b. Who owns the land to be irrigated or place of use? Matthew & Chad Summers

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

: ឆ្នាំ ២០០៩

Remarks:

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 of the State of Idaho as herein set forth.

Signature of Applicant (and title, if applicable)

Received by Ch Date 10/3/96 Time 4:30 Preliminary check by JS

Received by 13 # 11414 NO10721 Date 10/3/96

10/9/96
Published in 500 Nov 10/17 + 24/96 11/3/96

Publication prepared by	Φ/Φ	Date	10/19/96
Publication approved	Φ	Date	10/25/96
Published in	GSA News	10/17 + 24/96	11/1

Date 10/3/96 Time 9:30 Preliminary check by [Signature]

Preliminary check by

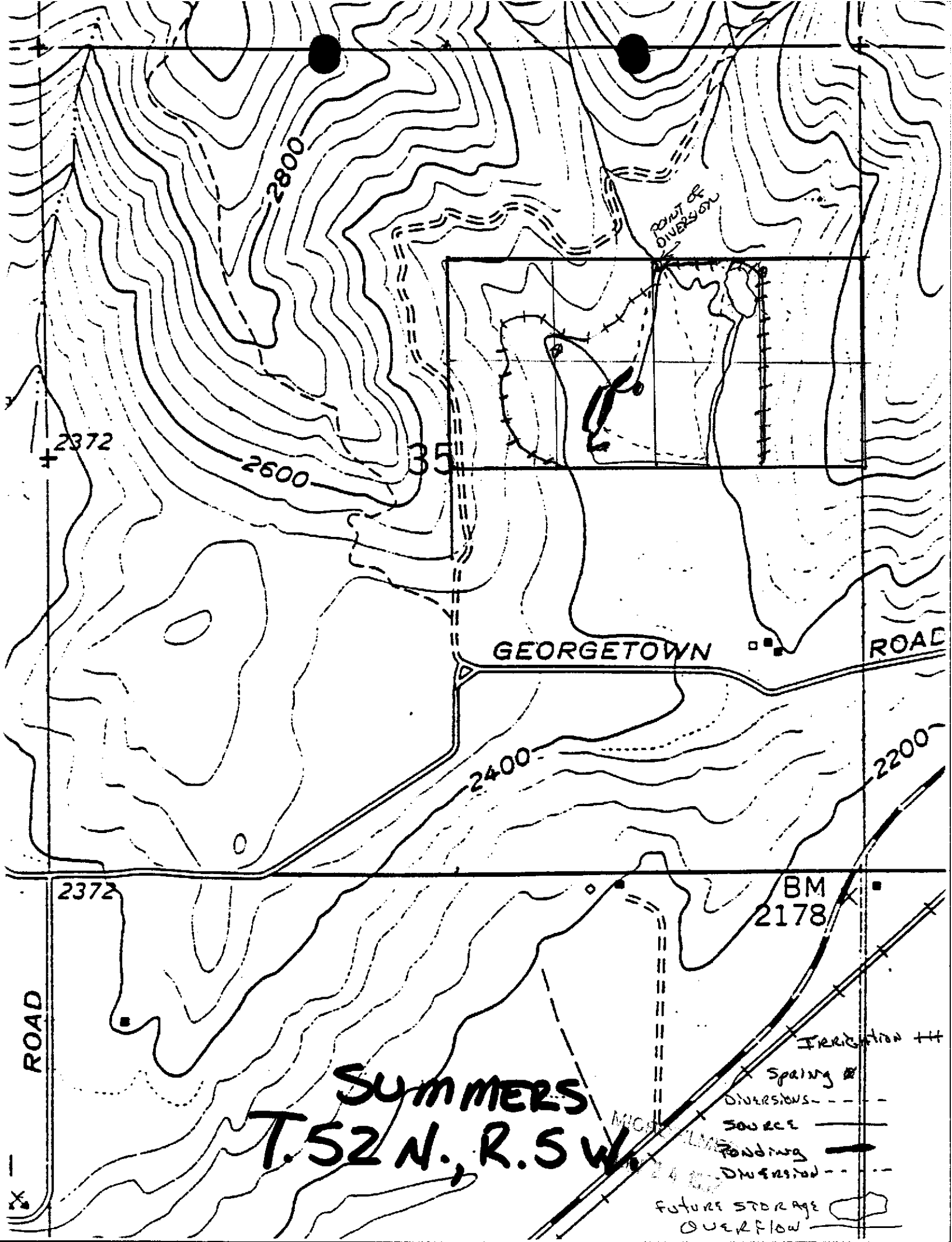
Date 10/3/96

Date 10/35/96 12/2/96

96	7	71	96
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96

9661



SUMMERS
T. 52 N., R. 5 W.

- Irrigation ++
- Spring x
- Diversion - - -
- Source -
- Ponding - - -
- Diversion - - -
- Future Storage Overflow
- MICRO LINE



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

February 6, 2004

CHAD DE VORE
15267 TAMALARCH LN
RATHDRUM ID 83858

TIM KIEFER
14814 N WRIGHT ST
RATHDRUM ID 83858

TERRY KIEFER
GENERAL DELIVERY
RATHDRUM ID 83858

Re: Permit No. 95-8956

Dear Permit Holder(s):

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 that the use being made meets the permitted beneficial use.

Upon review of your proof, I find that you paid \$250.00 for the license examination fee. The department has permitted this right for a maximum diversion rate of 0.60 cfs, which equates to a \$100 license exam fee. I have requested that the State of Idaho issue you a check for \$150.00. This check will be mailed to you within 7-10 business days.

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) 334-2190. If you have any questions regarding the refund or the processing of this proof, please contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office
Fiscal

MICROFILMED
MAR 29 2004

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-8956

Reviewed By: dgibson

Date: February 5, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:		N016035	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/19/2003
Date proof due	-	01/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	10/03/1996
New priority date	=	10/03/1996

Deficiencies of Actions Items

Acknowledge proof. Refund overpayment of fee. Overpaid \$150. *Changed database for Jerry Kiefer's mailing address.*

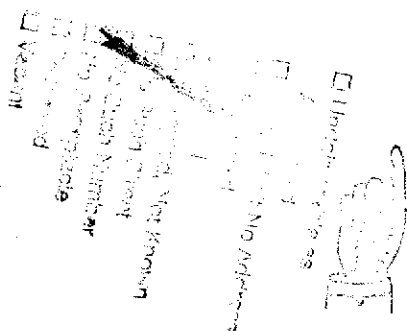
RECEIVED

JAN 12 2004

Department of Water Resources

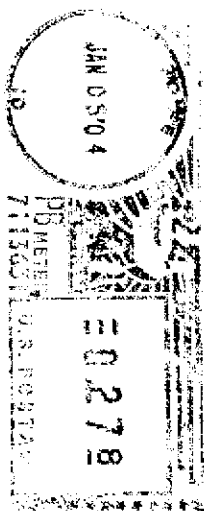
Permit Service Requested

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098



TERRY KIEFER
16846 RESEVOIR RD
RATHDRUM ID

PRESORTED
FIRST CLASS



Permit # 95-8956
Mail resent to addressee
at General Delivery
Rathdrum -
as shown on proof of B/C
Kari Lynn - 1.15.04

MICROFILMED

MAR 29 2004



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, 2004

CHAD DE VORE
15267 TAMALARCH LN
RATHDRUM ID 83858

TERRY KIEFER
16846 RESEVOIR RD
RATHDRUM ID 83858

TIM KIEFER
14814 N WRIGHT ST
RATHDRUM ID 83858

RE: Change of Ownership for Water Right Permit 95-8956

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. This letter also acknowledges receipt of the Proof of Beneficial Use form at our Northern Region office on December 19, 2003.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:kit

Enclosure

MICROFILMED

MAR 29 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 30, 2003

TERRY KIEFER
GENERAL DELIVERY
RATHDRUM ID 83858

Re: Water Right 95-8956
Assignment of Permit to Chad DeVore, Terry Kiefer and Tim Kiefer

Gentlemen:

This acknowledges receipt of the Assignment of Permit to change ownership of Permit No. 95-8956.

We are forwarding the paperwork to the State Office for processing.

If you have any questions, please contact KariLynn Townsend in our State Office, at 208-327-7941.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

cc: IDWR State Office

400-327-7941

www.idwr.idaho.gov

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

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

Return Service Requested



CERTIFIED MAIL

7000 1670 0011 3314 1454

RECEIVED
Department of Water Resources

Handwritten signature and initials

MICROFILMED

MAR 29 2004

NIXIE

2026 1

02 11/06/03

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

93206+2253



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

October 31, 2003

CHAD W SUMMERS
11008 E 8TH
SPOKANE, WA 99206

PROOF DUE NOTICE

RE: PERMIT NO. 95-8956

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

Sincerely,


Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

October 31, 2003

CHAD W SUMMERS
11008 E 8TH
SPOKANE, WA 99206

PROOF DUE NOTICE

RE: PERMIT NO. 95-8956

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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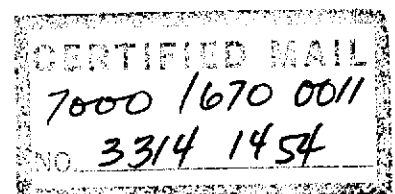
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

MAR 29 2004





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 25, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHAD W SUMMERS
PO BOX 66
PRIEST RIVER ID 83856

RE: PERMIT NO. 95-08956

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **January 1, 2004**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of the project since the department **will not** be able to grant future extension requests based on due diligence.

Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact the department, if you have any questions regarding this matter.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

JAN 31 2000

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 95-08956 Reviewed by YH Date 1-19-00

BASIC INFORMATION

yes Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Extend proof due date to Jan 1, 2004
based on due diligence.*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address P.O. Box 66, Priest River, ID 83856
Change Proof Due Date Jan 1, 2004
Change Priority Date _____

October 31, 1999

CHAD W SUMMERS
11008 E 8TH
SPOKANE WA 99206

PROOF DUE NOTICE

RE: PERMIT NO. 95-08956

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 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.

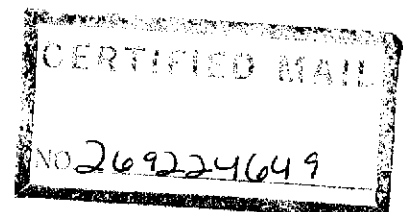
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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 31 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 1996

CHAD W SUMMERS
11008 E 8TH
SPOKANE WA 99206

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08956

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

MICROFILMED

187 34 107

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

11/96

No.: 95-08956 Name: Summers Date: 12/16/96 Ad OK? OK ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust
PROTESTED: - 020 (Protest Agreement)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

DRILLING PERMIT:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District (~~dom~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 01J (meas dev)-P08
=/- 0.2 cfs - 01H (lock dev)-P01 or No MD
In WD + 0.2 cfs - 01M or No MD (in-stream stock or domestic)
~~- 0.2 cfs~~ - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/ remark *WB9- Weiser), NA
Boise River (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette River (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - *WB5 (Boise River above Star Bridge); 27A (Payette River); NA
Fish Propagation - 07A-042 (req)-010/06A/09E (WQ)-P10; 044 (North of 1000 Springs)
Irr <POU> =/- 5 a - 057 (0.03 cfs/acre)
+ 5 a - 03A (0.02 cfs/acre)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Storage (✓3 compo.) - 072 (req); 18A (multiple MD within district), 18B-P09 (+10' dam),

LOCATION:

42-248 area - In 20/30/40/50/60/70/80 (87) basin? P84
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: Non-owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- ① Rec use/ fishing ② woz/15 H&C
- 1-1- 2000

No. a
4/87-06/92n

IN ID DEPARTMENT OF WATER RESOURCE
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 95 - 8956

***** INITIAL REVIEW *****

APPLICANT: Summers Chad BY: AB DATE: 10/3/96

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
13. (x) Map
(x) Signature
(x) Fee (Amt, recpt, acknowledgment)

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

PROCESSING

Yes No PRIORITY DATE: 10/3/96

X (Include Moratorium Remark)

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

CA Phum/ok?

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

ADDITIONAL INFORMATION

Yes No

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

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

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

***** 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: Readvertise

to correct POV

Publication dates and paper recorded on application | Sr. Agent initial AB

Protests received. Final protest date: 11/10/96
12/9/96

Measuring device required

Measuring port required

Special conditions:

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

Approval Recommended by: AB

DEC 16 1996

Date: 11/6/96

12/11/96

Department of Water Resources

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

Michelle Price 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 21st day of November, 1996 and ending on the 28th day of November, 1996, 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.

Michelle Price

Subscribed and sworn to before me this 28th day of November, 1996

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

ROBERTA MANLEY
commission expires 2-5-99

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-08956 in the name of CHAD W. SUMMERS, 11008 E 8TH, SPOKANE, WA 99206 was incorrectly advertised on October 17 and 24, 1996.

The Place of Use was incorrectly advertised as the SWNW of T52N, R05W, S35, whereas correctly it should read the SWNE of T52N, R05W, S35, KOOTENAI County.

Additionally, ONE OF THE USES was incorrectly listed as RECREATION at 0.600 CFS and 12.00 AF, whereas correctly it should read RECREATION at 0.600 CFS.

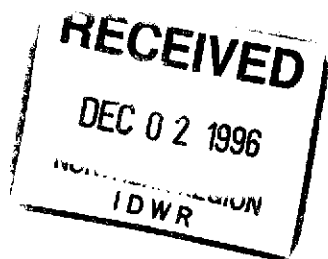
(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before December 9, 1996.

KARL J. DREHER, Dir.

Legal 554

Nov. 21, 28, 1996



MICROFILMED

JAN 24 1997

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-08956 in the name of CHAD W. SUMMERS, 11008 E 8TH, SPOKANE, WA 99206, was incorrectly advertised on October 17 and 24, 1996.

The Place of Use was incorrectly advertised as the SWNW of T52N, R05W, S35, whereas correctly it should read the SWNE of T52N, R05W, S35, KOOTENAI County.

Additionally, ONE OF THE USES was incorrectly listed as RECREATION at 0.600 CFS and 12.00 AF, whereas correctly it should read RECREATION at 0.600 CFS.

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

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before December 9, 1996, 1996.

KARL J. DREHER, Dir.

Published in the Coeur d Alene Press on 11/21 & 28/1996.

ENCLOSURE

JAN 2 1997

November 13, 1996

Coeur d Alene Press
201 N 2nd
Coeur d Alene ID 83814

Re: 95-08956 and 95-08957

Gentlemen:

Enclosed you will find two (2) legal Notices of Correction, both of 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.

Please send the Affidavit of Publication, and the bill, to this office before December 9, 1996.

Thank you.

Sincerely,

Dianne Ball
Senior Secretary

Enclosure

NOTIFIED

11/16/96

RECEIVED AFFIDAVIT OF PUBLICATION

OCT 25 1996

NORTHERN REGION
IDWR

STATE OF IDAHO, } ss.
County of Kootenai,

Michelle Price

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 17th day of October, 1996, and ending on the 24th day of October, 1996, 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.

Michelle Price

Subscribed and sworn to before me this 24th day of October, 1996.

Roberta Manley

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

RECEIVED

ROBERTA MANLEY

OCT 25

commission expires 2-5-99

NORTHERN REGION
IDWR

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08956
SUMMERS, CHAD W -
11008 E 8TH
SPOKANE, WA 99206
Source: SPRINGS
Tributary: SINKS
Source: UNNAMED STREAM
Tributary: SINKS
Diversion Pt: -
SWNE Sec 35 T 52N R 05W in KOOTENAI County
NESWNE Sec 35 T 52N R 05W in KOOTENAI County
SESWNE Sec 35 T 52N R 05W in KOOTENAI County
Use: IRRIGATION

(0.600 CFS) -
IRRIGATION STORAGE (12.00 AF)
IRRIGATION FROM STORAGE (12.00 AF)
STOCKWATER (0.020 CFS) -
STOCKWATER STORAGE (0.40 AF)
STOCKWATER FROM STORAGE (0.40 AF)
RECREATION (0.600 CFS) (12.00 AF)
RECREATION STORAGE (12.00 AF)
DIVERSION TO STORAGE (0.600 CFS)
Total Diversion: (0.600 CFS)
Date Filed: 10/ 3/1996
In: KOOTENAI County
T52N R05W S35 SWNW
30.0 ACRES TOTAL

See circled amt:
data entry error -
do we need to NO
re advertise?
Data base has been
corrected.

(0.400 CFS)

Bad - ~~Pay~~ NO
Your opinion
please
Jht b

DIVERSION TO STORAGE
(0.400 CFS)

Total Diversion: (0.400 CFS)

Date Filed: 10/ 3/1996
In: KOOTENAI County
T52N R05W S35 SENW
20.0 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 NOVEMBER 4, 1996.

KARL J. DREHER, Director

Legal 403
Oct. 17, 24, 1996

95-08956

SUMMERS, CHAD W
11008 E 8TH
SPOKANE, WA 99206

Source: SPRINGS
Source: UNNAMED STREAM

Tributary: SINKS
Tributary: SINKS

Diversion Pt: SWNE Sec 35 T 52N R 05W in KOOTENAI County.
NESWNE Sec 35 T 52N R 05W in KOOTENAI County.
SESWNE Sec 35 T 52N R 05W in KOOTENAI County.

Use: IRRIGATION	(	0.600 CFS)	
IRRIGATION STORAGE			(12.00 AF)
IRRIGATION FROM STORAGE			(12.00 AF)
STOCKWATER	(	0.020 CFS)	
STOCKWATER STORAGE			(0.40 AF)
STOCKWATER FROM STORAGE			(0.40 AF)
RECREATION	(	0.600 CFS)	(12.00 AF) OUT
RECREATION STORAGE			(12.00 AF)
DIVERSION TO STORAGE	(	0.600 CFS)	
Total Diversion:	(	0.600 CFS)	

Date Filed: 10/ 3/1996

In: KOOTENAI County
T52N R05W S35 SWNW

30.0 ACRES TOTAL

data entry error

*Read -
Aug 100 listed in
error:*

RECORDED
JAN 24 1997

October 9, 1996

Chad W. Summers
11008 E 8th
Spokane WA 99206

Re: Water Appropriation Application No. 95-08956

Dear Mr. Summers:

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

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

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

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

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

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$35.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. It is possible to upgrade a Domestic Drilling Permit by submitting an additional \$165.00. These Permits can be obtained by your driller, also.

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

WCD-1000
2002-10-17