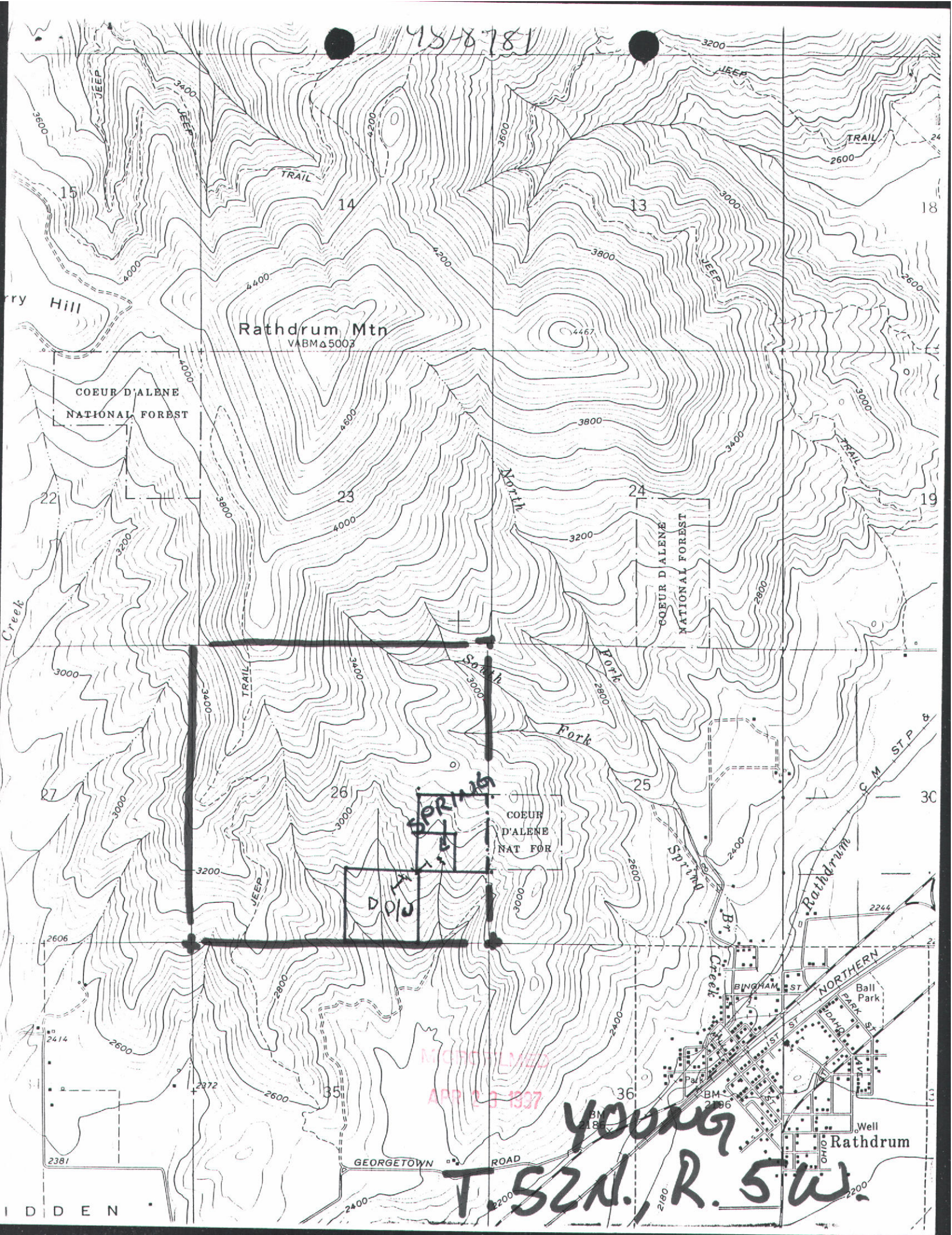


918-8781



Rathdrum Mtn  
VABM 5003

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NATIONAL FOREST

COEUR D'ALENE  
NATIONAL FOREST

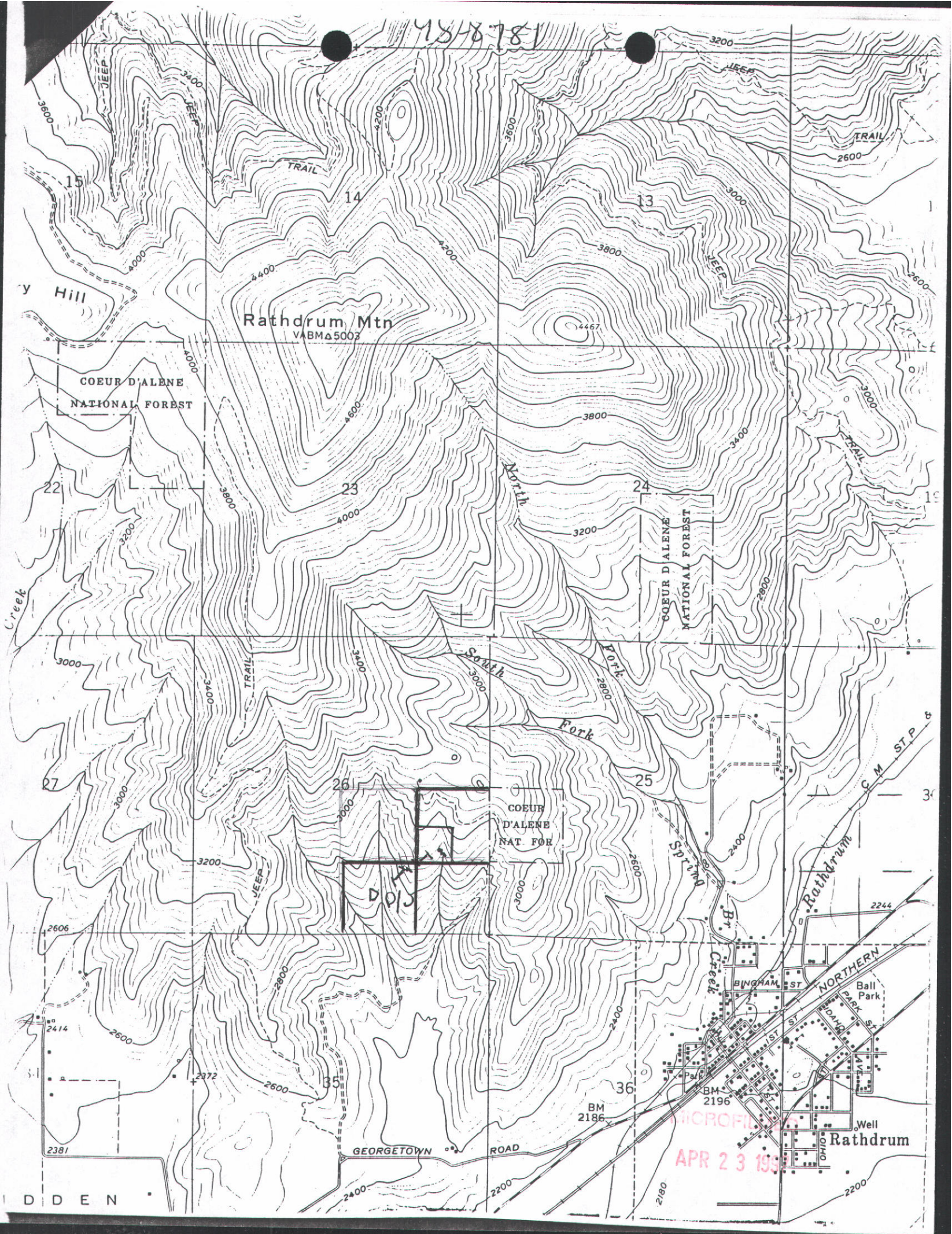
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## AFFIDAVIT OF PUBLICATION

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

Michelle Rice 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 5th day of September, 1996, and ending on the 12th day of September, 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 Rice

Subscribed and sworn to before me this 12th day of September, 1996.

Roberta Manley

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

ROBERTA MANLEY  
My commission expires 2-5-99

### NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08947

KIDD ISLAND BAY  
DEVELOPMENT CO.  
1331 KIDD ISLAND RD  
COEUR D ALENE, ID 83814  
Source: GROUNDWATER  
Diversion Pt: NESW Sec 35 T 50N R 04W  
in KOOTENAI County.  
Use: DOMESTIC (0.120 CFS)  
Total Diversion: (0.120 CFS)

Date Filed: 8/8/1996

In: KOOTENAI County

T50N R04W S35 NESW

95-0893948

YOUNG, GENE  
BOX 576  
RATHDRUM, ID 83858  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: SWNESE Sec 26 T 52N R  
05W in KOOTENAI County.  
Use: DOMESTIC (0.020 CFS)  
Total Diversion: (0.020 CFS)

Date Filed: 8/8/1996

In: KOOTENAI County

T52N R05W S26 SWSE

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 23, 1996.

KARL J. DREHER, Director

Legal 176

Sept. 5, 12, 1996

RECEIVED

SEP 13 1996

MICROFILMED  
IDWR

APR 23 1997

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 95-08948

Priority: August 8, 1996

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that GENE YOUNG  
PO BOX 576

RATHDRUM ID 83858-0576

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 8, 1996; and has submitted Proof of Beneficial Use on August 8, 1996. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRINGS

tributary to SINKS

source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
|-----------------------|----------------------|--------------------------|----------------------|

|          |                |          |        |
|----------|----------------|----------|--------|
| DOMESTIC | 01/01 to 12/31 | 0.02 CFS | 0.6 AF |
|----------|----------------|----------|--------|

LOCATION OF POINT(S) OF DIVERSION: SWNESE , Sec. 26, Township 52N, Range 05W  
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

52N 05W 26

SWSE

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for a shop.
6. Two points of diversion are located in SWNESE, S26, T52N, R5W.

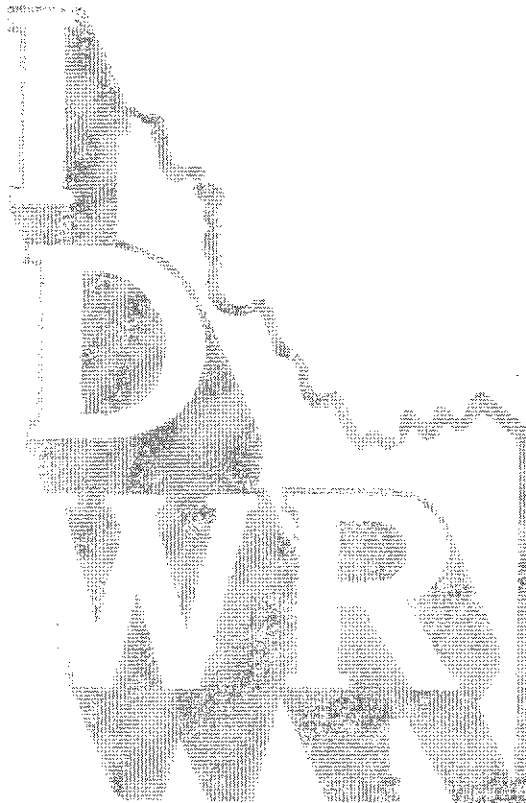
State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 95-08948

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 19<sup>TH</sup>  
day of FEBRUARY, 1997.

  
Acting for KARL J. DREHER, Director



RECEIVED

FEB 12 1997

State of Idaho  
Department of Water Resources

Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 95-08948**

**APPROVED**

Date of Priority: August 8, 1996

Maximum Diversion Rate: 0.02 CFS  
Maximum Diversion Volume: 0.6 AF

Comes now GENE YOUNG  
PO BOX 576  
RATHDRUM ID 83858-0576

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-08948, and requests that the permit be changed as follows:

Source: SPRINGS tributary to SINKS

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |

LOCATION OF POINT(S) OF DIVERSION: SWNESE , Sec. 26, Township 52N, Range 05W  
KOOTENAI County

PLACE OF USE: DOMESTIC  
TWN RGE SEC  
52N 05W 26 SWSE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Gene Young this 7 day of Feb., 1997.

Gene Young  
(Signature)

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 95-08948**

\*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by Ket Fee = \$50.00 Receipted by Ket # C038028 Date 2-12-97

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 95-08948 with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for a shop.
6. Two points of diversion are located in SWNESE, S26, T52N, R5W.

Witness my hand this 19<sup>TH</sup> day of FEBRUARY, 1997.

  
Acting for **KARL J. DREHER, Director**

RECORDED  
APR 23 1997

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 30 1996

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. 95-08948 Telephone No. 687-3373

2. Name(s) of Permit Holder(s): Gene Young

3. Mailing Address: Box 526 Rathdrum ID, 83858

4. Source of Water: Spring 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): 1 Stockwater (No. and type of stock): \_\_\_\_

Irrigation (No. of acres): \_\_\_\_ Other: \_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: \_\_\_\_ 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 ✓

Flow Measurement Port: Is a flow measurement port required?

Yes \_\_\_\_ or No ✓

Has the measurement port been installed?

Yes \_\_\_\_ or No ✓

8. Fee Enclosed: \$50.00 (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: As Above Telephone Number: \_\_\_\_

Address: \_\_\_\_

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: Gene Young Date: 8/8/96

(Include your title, if on behalf of company or organization)

RECEIVED

APR 23 1997

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**  
NO. 95-08948

Proposed Priority: August 8, 1996

Maximum Diversion Rate:

0.02 CFS

This is to certify, that GENE YOUNG  
PO BOX 576

RATHDRUM ID 83858-0576

has applied for a permit to appropriate water from:

SPRING

tributary of SINKS

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNESE , Sec. 26, Township 52N, Range 05W  
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

52N 05W 26

SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1997.
2. Subject to all prior water rights.
3. Domestic use is for 1 home.

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

9<sup>th</sup> day of October, 1996

  
Karl J. Dreher, Director

for

RECEIVED

SEP 30 1996

FORM 202

2/96

Ident. No. 95-08948

STATE OF IDAHO  
 Department of Water Resources  
 DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of Applicant Gene Young Phone 687-3373  
 Mailing address Box 576 Rathdrum ID 83858
2. Source of water supply Spring which is a tributary of sinks
3. Location of point of diversion is Township 52N Range 05W Sec. 26 in the SW 1/4, NE 1/4, SE 1/4, Govt. Lot \_\_\_\_\_, B.M., Kootenai County;  
 additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
 Amount .02 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
 (cfs or acre-feet per annum)  
 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) .02 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 Spring and pipeline
  - 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 \_\_\_\_\_ 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 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. 1
  - e. Other; describe fully. \_\_\_\_\_

SEP 29 1996

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

use below. See instructions for standard symbols.

Total number of acres to be irrigated

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

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

**៖ ចំណុច ទី២**

12. Remarks: Same filing as 95-8781 which lapsed. System is in place and being used

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.

Date 8/8/96 Time 11:30 AM

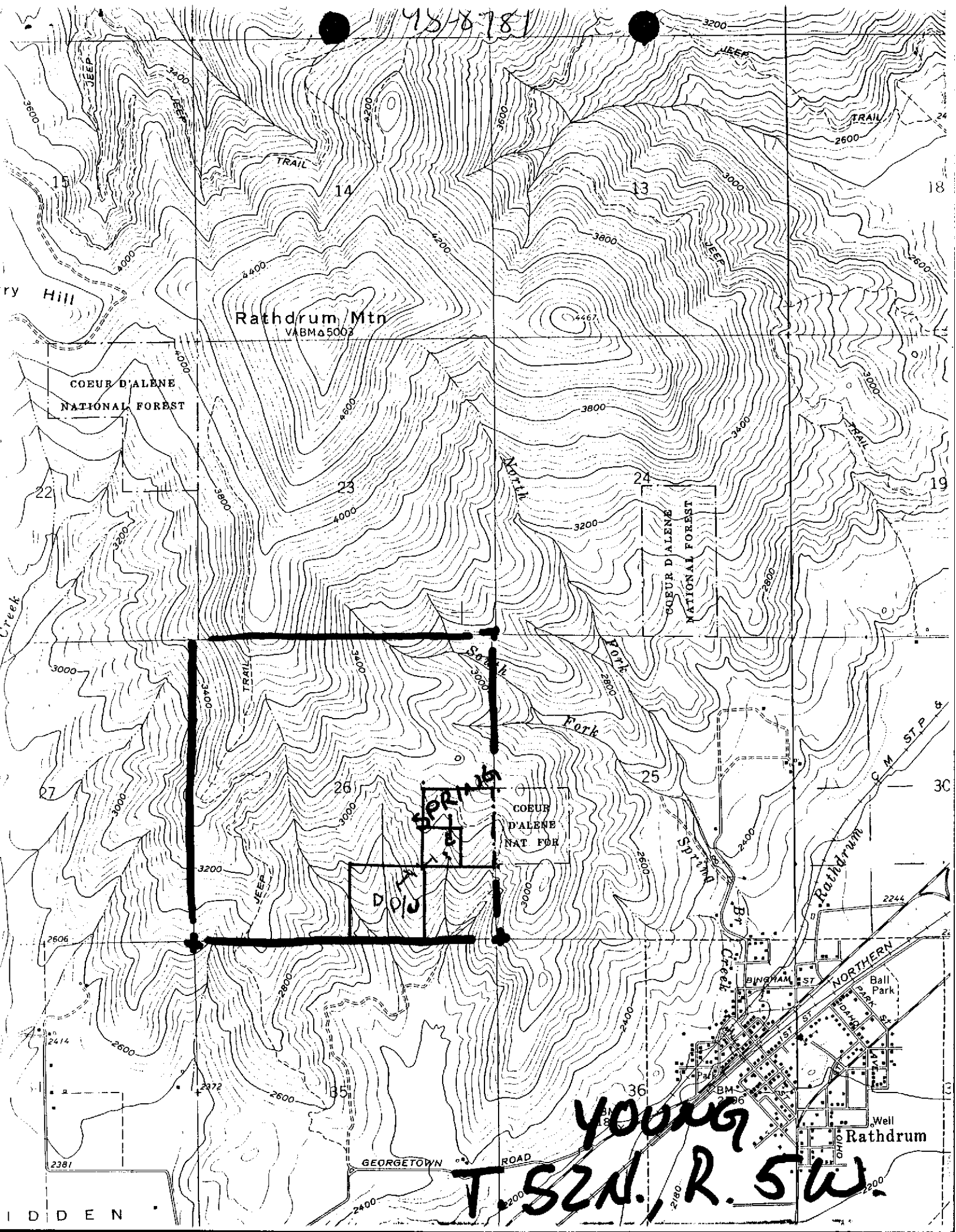
received by                      Date 8/28/96

Date 8/28/96

Publication prepared by

**Publication approved**

98-8781



Rathdrum Mtn  
VABM 5003

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SPRING

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

Rathdrum

GEORGETOWN

ROAD

Well

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AVENUE

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BINGHAM ST

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Rathdrum

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## 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

February 26, 1997

GENE YOUNG  
PO BOX 576  
RATHDRUM ID 83858-0576

RE: WATER RIGHT NO. 95-08948

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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 the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

For your records, I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

c: Northern Region

Enclosures

## CERTIFICATE OF MAILING

I hereby certify that on the **26th** day of **February**, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

**Water Right No. 95-08948**

**GENE YOUNG**  
**PO BOX 576**  
**RATHDRUM ID 83858-0576**

A handwritten signature in cursive script, appearing to read "Sharla Curtis", is written over a horizontal line.

Sharla Curtis  
Water Resource Agent



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

February 4, 1997

GENE YOUNG  
PO BOX 576  
RATHDRUM ID 838580576

RE: WATER RIGHT NO. 95-08948

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects the addition of a second point of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:ph

Enclosure

## MEMORANDUM

**TO: File 95-08948**

**FROM: Sharla**

**DATE: February 3, 1997**

**RE: Recommendation Adjustment(s)**

The final license recommendations for Right 95-08948 are based on the following:

**A. GENERAL INFORMATION**

3. Source: springs tributary to sinks

**H. RECOMMENDATIONS**

**1. Recommended Amounts**

|          |             |          |         |
|----------|-------------|----------|---------|
| Domestic | 1/1 - 12/31 | 0.02 cfs | 0.6 afa |
|----------|-------------|----------|---------|

The license is recommended for the same volume as an in-house use for a shop; the volume has been calculated accordingly.

Examiner: Al Beardslee

Exam Date: August 8, 1996

# LICENSE REVIEW CHECKLIST

PERMIT NO. 95-08948

DATE 2/3/97

REVIEWER: SHARLA

NAME Change OK

Address Change No

SOURCE spring

Is change clarification of originally intended source? no

POINT OF DIV add 2nd pld

If not, prepare Notice of Intent to Void no

Amendment required yes

PLACE OF USE no

Amendment required No

Does map agree with written description? yes no

OVERLAPS

no P/D

no P/U

## RATE OF DIV

Permitted Rate .02 cfs

Fee limit .20 cfs \$5000

Measured no cfs

Theoretical no cfs grav. flow

Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/  
NATURE OF USES no

Use no

Dom. .02

Volume Calculation

.6 (in house) af

af

af

af

SUBTOTAL

af

Flow rate .02 cfs X 365 days X 1.98 = 14.5 af

Total volume recommended .6 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1 shop  
2 pld in SWNESE, 526.

CONDITIONS

no Watermaster Control WD#

no GW Measurement/Measuring Device

no Overlap

no Use-specific conditions

Advancement of Priority Date Required no yes

SRBA Claim Filed N/A

1st Amend Letter P39 P38

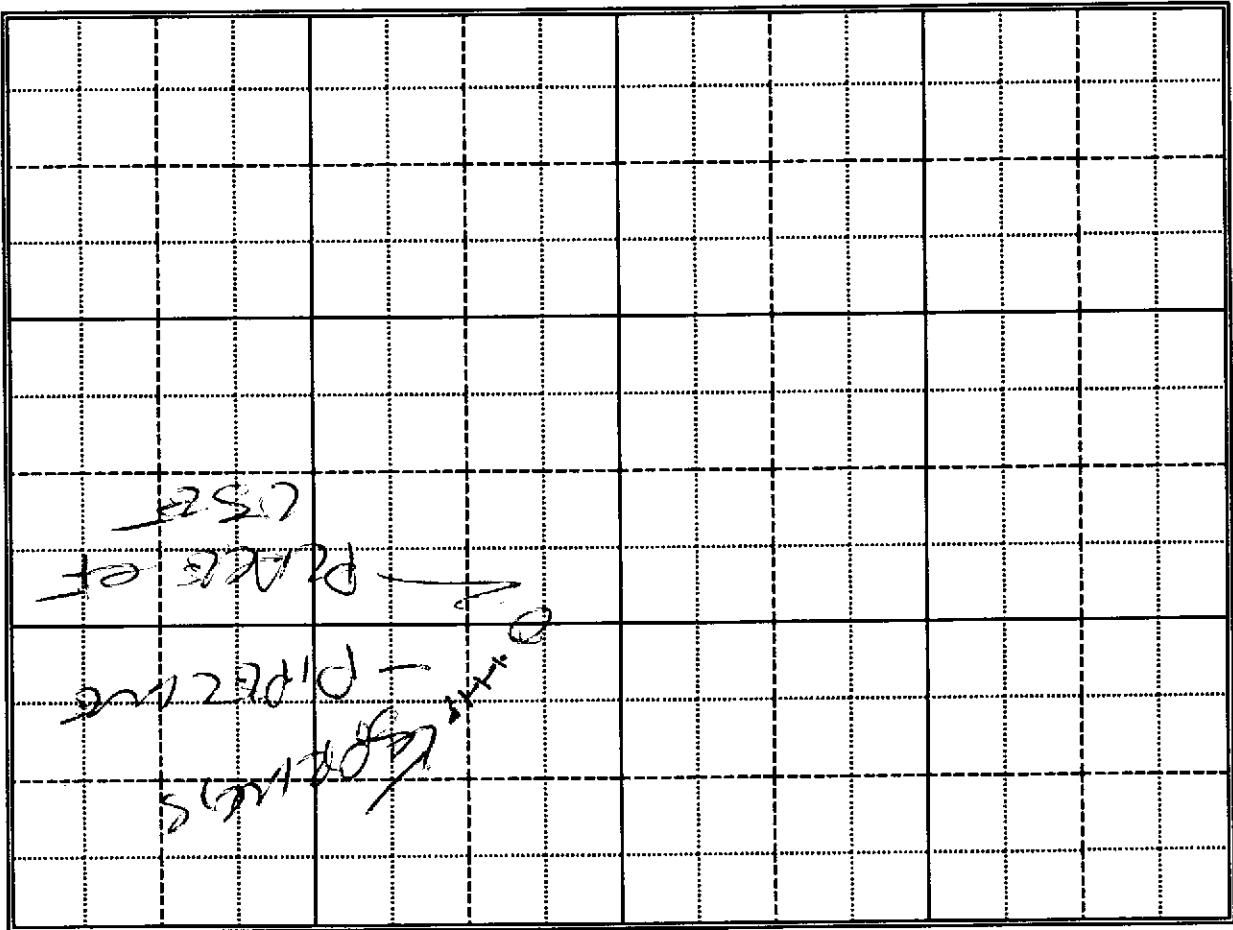
Adjustment Memo source blank  
dom volume

2nd Amend Letter P42

add pld  
not change

[illegible]

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

### D. FLOW MEASUREMENTS

1.

### 2. Measurements:

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

E. NARRATIVE/REMARKS/COMMENTS

System consists of two spring boxes coupled together with pipeline of approximately 1/4 mile to place of use. Use is in a shop located at 10055 Meadow Lane. Domestic use for home comes from a well.

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

10/10/2011  
10/10/2011

# F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

STANDARD VOLUME

## H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

From

Period of Use

To

12/31

Rate of Diversion

Q (cfs)

0.02

Annual Volume

V (afa)

1.2

## 2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

Add P.U. as reflected above

Other

## I. AUTHENTICATION

Field Examiner's Name

FOR: ROBERT HAYES, JR.  
ALL 3 BEARS

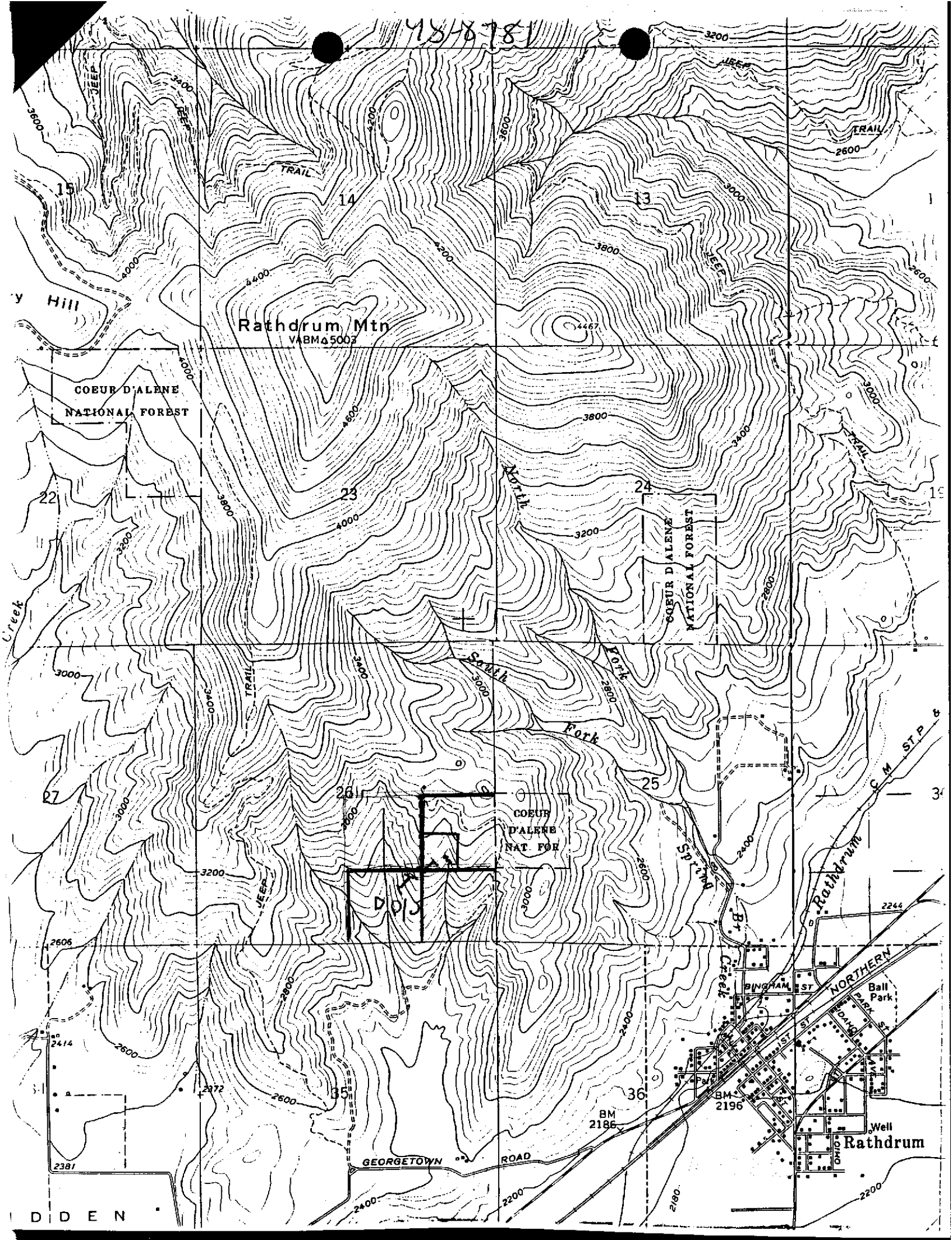
Date

Date

Reviewer

SEAL

15-8781



**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 95-08948 Reviewed by [Signature] Date 11-8-96

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?  
yes Address same as permit?  
yes Proof timely received? Correct Uses? yes  
If not, complete calculation below.

**SOURCE OF WATER**

☒ Surface water source  
☐ Ground water source  
Drilling permit required?  
Copy in the file? Drilling Permit No. \_\_\_\_\_  
Amount paid for permit \_\_\_\_\_ Correct?  
Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

yes Required?  
50- Amount Submitted  
yes Correct?  
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**

B-U Exam submitted  
proof acceptable

**DATA ENTRY**

New Address [Signature] Proof Made 9-30-96



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

November 12, 1996

GENE YOUNG  
PO BOX 576  
RATHDRUM ID 83858-0576

**PROOF ACKNOWLEDGMENT LETTER**

RE: PERMIT NO. 95-08948

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and beneficial use field report submitted for the above referenced permit. The next step in the process of developing a water right is for the department to review the field report for licensing.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning this matter, please contact Shelley Keen at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

C: IDWR - Region

11/12/96  
11/12/96



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

October 9, 1996

GENE YOUNG  
PO BOX 576  
RATHDRUM ID 83858-0576

**PERMIT APPROVAL NOTICE**

RE: PERMIT NO. 95-08948

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.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:ph

Enclosure

**APPLICATION FOR PERMIT  
STATE OFFICE REVIEW**  
by Cindy Zimmerman

No.: 758948 Name: Jones Date: 10/8/96 Ad OK? ✓  
Correct Fee? ✓ Receipt #: N610544 Priority: 8/8/96 ✓ Gvmt Lts: ✓

**AREA OF CONCERN?** - No/Yes \_\_\_\_\_ Mor \_\_\_\_\_ GWMA Trust/Non-trust  
**PROTESTED:** - 020(Protest Agr) or W19(See Final/Prelim Order)  
**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(~~dem~~) - 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)  
- 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-t Weiser), NA  
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA  
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

**USE:**

Domestic (surface) - \*WB5(Boise R t Star Bridge); 27A(Payette R); NA  
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)  
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)  
+ 5 a - 03A (0.02 cfs/A)  
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.) - 18A(multi MD in WD), 18B-P09 (+10' dam), \*W07

**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-land owner - 004 (PD/PU) \_\_\_\_\_

**OTHER CONDITIONS:** \_\_\_\_\_

**STANDARD REMARKS:** - \* Dwa/1

**BENEFICIAL USE DUE:** - 10-1-1997 filed

**COMMENTS:** \_\_\_\_\_

No. a  
4/87-06/92n

I DEPARTMENT OF WATER RESOURCE  
APPROPRIATION APPLICATION ANALYSIS SHEET

WRI  
WRA  
DC

APPLICATION # 95-08948

\*\*\*\*\* INITIAL REVIEW \*\*\*\*\*

APPLICANT: Yancy

BY: AB

DATE: 8/18/96

RECEIVED  
SEP 30 1996

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, acknowlegment)

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

X

(Include Moratorium Remark)

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

ADVERTISE IN: ROOTEN 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

(Yes) (No)

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

Checked by: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Remarks: \_\_\_\_\_

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- 7/13 Notice of pending void order issued. Final order response date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
7/19 Further information required from applicant  
7/19 Affidavit of publication received  
8/28/96 Application published correctly, If not, record action taken: \_\_\_\_\_

Publication dates and paper recorded on application

Sr. Agent initial AB

- X Protests received. Final protest date: 9/23/96  
X Measuring device required  
X Measuring port required  
X Special conditions:  
X Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AB

Date: 9/23/96

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.  
County of Kootenai,

Michelle Rice 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 5th day of September, 1996, and ending on the 12th day of September, 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 Rice

Subscribed and sworn to before me this 12th day of September, 1996.

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

ROBERTA MANLEY  
my commission expires 2-5-99

### NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08947

KIDD ISLAND BAY  
DEVELOPMENT CO.  
1331 KIDD ISLAND RD  
COEUR D ALENE, ID 83814  
Source: GROUNDWATER  
Diversion Pt: NESW Sec 35 T 50N R 04W  
in KOOTENAI County.  
Use: DOMESTIC (0.120 CFS)  
Total Diversion: (0.120 CFS)

Date Filed: 8/8/1996

In: KOOTENAI County

T50N R04W S35 NESW

95-0893948

YOUNG, GENE  
BOX 576  
RATHDRUM, ID 83858  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: SWNESE Sec 26 T 52N R 05W in KOOTENAI County  
Use: DOMESTIC (0.020 CFS)  
Total Diversion: (0.020 CFS)

Date Filed: 8/8/1996

In: KOOTENAI County

T52N R05W S26 SWSE

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before SEPTEMBER 23, 1996.

KARL J. DREHER, Director

Legal 176  
Sept. 5, 12, 1996

RECEIVED

SEP 13 1996

NOTARY PUBLIC  
IDWR

95-08948

YOUNG, GENE  
BOX 576  
RATHDRUM, ID 83858

Source: SPRING

Tributary: SINKS

Diversion Pt: SWNESE Sec 26 T 52N R 05W in KOOTENAI County.

|                  |   |            |
|------------------|---|------------|
| Use: DOMESTIC    | ( | 0.020 CFS) |
| Total Diversion: | ( | 0.020 CFS) |

Date Filed: 8/ 8/1996

In: KOOTENAI County  
T52N R05W S26 SWSE

August 28, 1996

Gene Young  
Box 576  
Rathdrum ID 83858

Re: Water Appropriation Application No. 95-08948

Dear Mr. Young:

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