

Sect 34- Twn 51 N Range 4W 1513-10.00  
 15C = 9.94  
 15D = 10.19  
 30.18  
 Highway 53  
 STATE  
 Kootenai County

**RECEIVED**  
 EP 05 1995  
 Department of Water Resources

Department of Water Resources

BASIS OF

BASIS OF BEARING  
 ALONG THE NORTH  
 SECTION 34 PER

NOTE

REVISION OF RECORD  
 REVISED 6-1-84  
 PAGE 53, RECORD

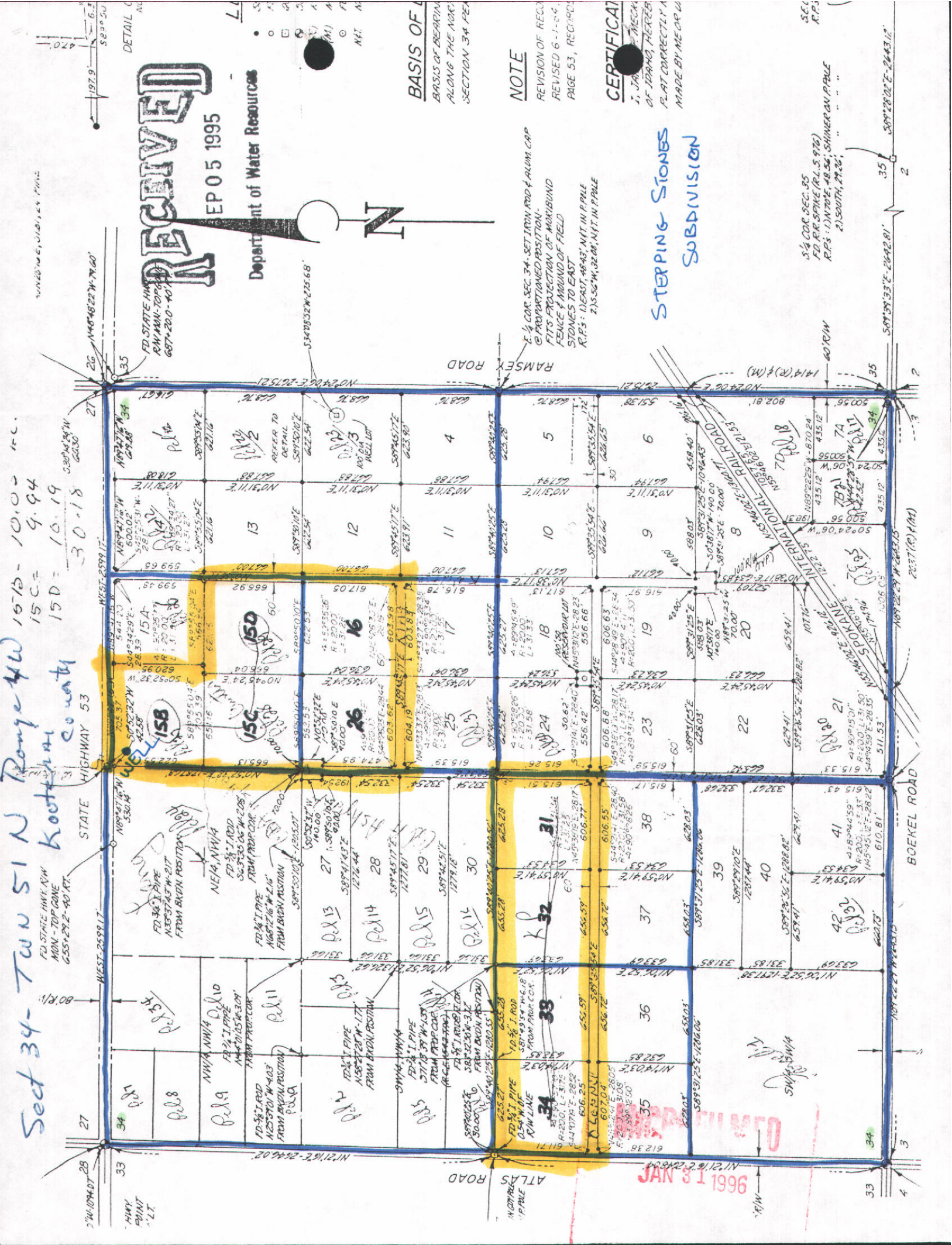
CERTIFICATE

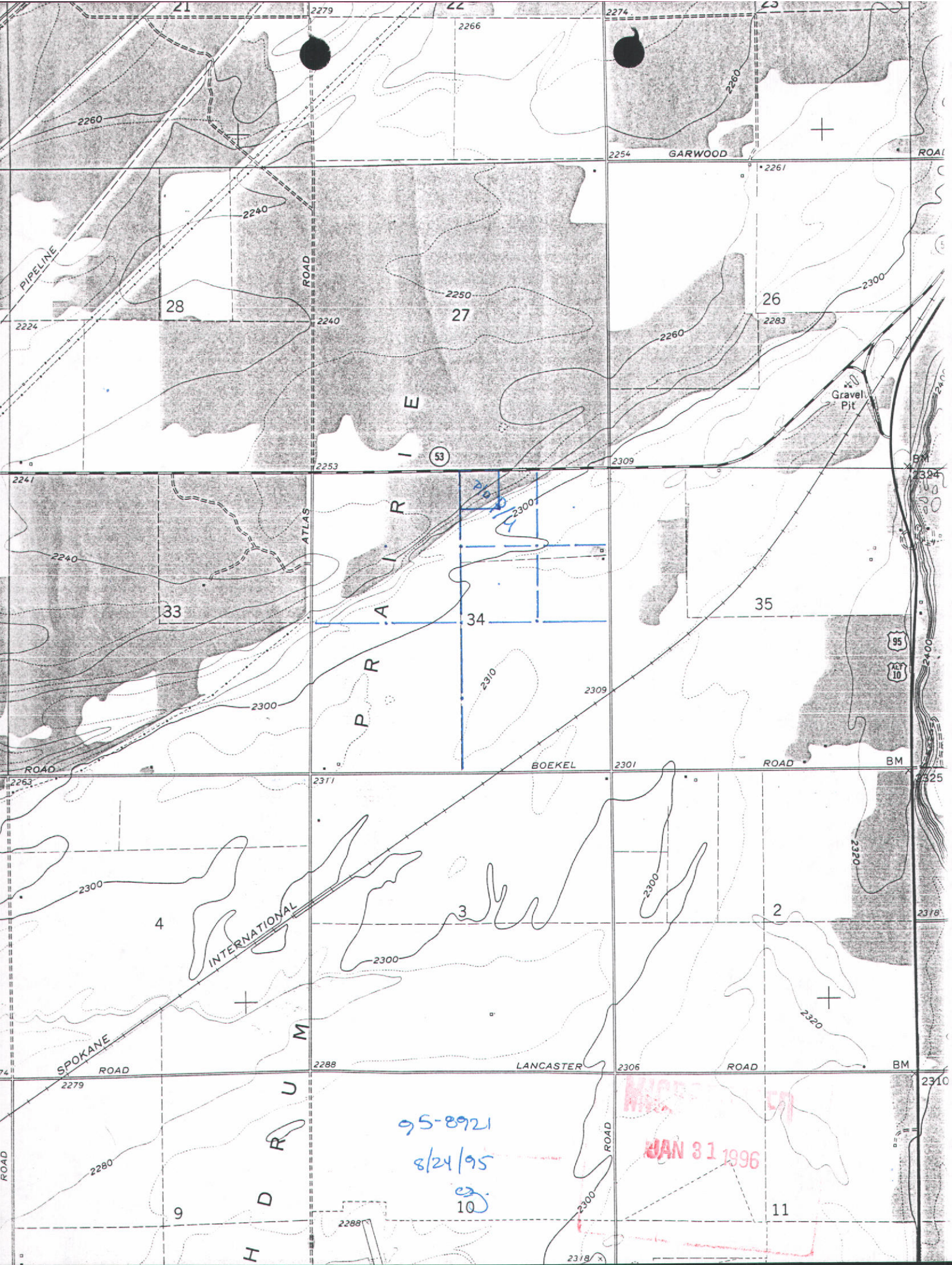
I, JAMES M. CHECK  
 OF IDAHO, HEREBY  
 CERTIFY THAT THE  
 PLAT CORRECTLY  
 MADE BY ME OR BY

STEPPING STONES  
 SUBDIVISION

3/4 COR. SEC. 35  
 TO R.R. SPIKE (R.L.S. 976)  
 R.P.S.: 1) N 70° E 48.54' SHIMMER ON P.P.L.E  
 2) SOUTH 27.26' "

35  
 58° 59' 33" E 2642.81'  
 58° 28' 02" E 2643.12'







STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 08 2000

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. 95-08921 Telephone No. 208 772 2326

2. Name of Permit Holder(s):  
Kootenai Properties, Inc.

3. Mailing Address: East 1647 Miles Avenue Hayden Lake, Idaho 83835  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. 4 / yr 95

Well Driller: United Drilling Drilling Permit Number: 95-95-N-59

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

Domestic (No. of households): .12 cfs Stockwater (No. and type of stock):

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

6. Total rate of diversion and/or volume for which proof is submitted: .12 cfs OR \_\_\_\_\_ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

**Measuring Device:** Is a measuring device required?

Yes \_\_\_\_\_ or No XX

Has the measuring device been installed?

Yes \_\_\_\_\_ or No N/A

8. Fee Enclosed: \$ 125.00 (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: Sherman Dionne Telephone Number: 208 772 2326

Address: 1647 E. Miles Avenue Hayden Lake, Idaho 83835

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: Sherman Dionne Date: 12-4-00  
(include your title, if on behalf of company or organization)

Vice President Kootenai Properties, Inc.

MICROFILMED

CHK # 2080 enclosed \$125.00

APR 11 2001

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**  
NO. 95-08921

Proposed Priority: June 26, 1995

Maximum Diversion Rate:

0.12 CFS

This is to certify, that **KOOTENAI PROPERTIES INC**  
1647 E MILES AVE  
HAYDEN ID 83835

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

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.12 CFS                 |
| COMMERCIAL            | 01/01 to 12/31       | 0.12 CFS                 |
| DOMESTIC              | 01/01 to 12/31       | 0.12 CFS                 |
| Totals                |                      | 0.12 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 34, Township 52N, Range 04W  
KOOTENAI County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 52N        | 04W        | 34         | NWNE 2.0     | SWNE 2.0     | NESW 2.0     | 8.0          |
|            |            |            | NWSW 2.0     |              |              |              |

Total number of acres irrigated: 8.0

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: DOMESTIC, 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 **February 1, 2001**.
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. 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.

JAN 31 1996

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

NO. 95-08921

**CONDITIONS OF APPROVAL AND REMARKS**

6. Point of diversion is located within Lot 15B, Stepping Stones Subdivision.
7. Place of use is located within Lots 15B, 15C, 15D, 16, 26, and 31-34, Stepping Stones Subdivision.
8. Commercial use is for rock crusher and dust abatement.
9. Domestic use is for 8 homes and an office.
10. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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

26<sup>th</sup> day of January, 1996

*Karl J. Dreher*  
for  
Karl J. Dreher, Director

JAN 21 1996

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

AMENDED

APPLICATION FOR PERMIT

AMENDED

**To appropriate the public waters of the State of Idaho**

1. Name: KOOTENAI PROPERTIES INC  
Address: 1647 E MILES AVE  
HAYDEN ID 83835 208-687-1111
2. Source: GROUNDWATER
3. Location of Point of Diversion: Trib. to:  
~~NWN~~NE Sec. 34, Township 52N, Range 04W  
KOOTENAI County
4. Water will be used for the following purposes:
 

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 03/15 | 11/15 | 0.120 |      |    |
| COMMERCIAL | 01/01 | 12/31 | 0.120 |      |    |
| DOMESTIC   | 01/01 | 12/31 | 0.120 |      |    |
5. Total quantity to be appropriated is:  
0.120 CFS (and/or) AF
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc.  
WELL WITH 7.5 HP GRUNDPOS PUMP
  - b. Height of storage dam feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
  - c. Proposed well diameter is 8 inches; proposed depth of well is 300 feet.
  - d. Is groundwater with a temperature greater than 85F being sought? NO
  - e. If well is already drilled, when? 04/01/1995  
Drilling Firm UNITED DRILLING, PERMIT #95-95-N-0059-000  
Well was drilled for APPLICANT
7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 5 year(s). JAN 31 1996
8. Place of Use: IRRIGATION

| TWN | RGE | SEC | ACRES   | ACRES   | ACRES   | TOTAL |
|-----|-----|-----|---------|---------|---------|-------|
| 52N | 04W | 34  | NWNE 02 | SWNE 02 | NESW 02 | 8     |
|     |     |     | NWSW 02 |         |         |       |

Total number of acres irrigated: 8

Place of Use: COMMERCIAL, same as IRRIGATION use

Place of Use: DOMESTIC, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?  
APPLICANT  
b. Who owns the land to be irrigated or place of use?  
APPLICANT  
c. If the property is owned by a person other than the applicant,  
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Domestic use is for 8 homes and office for crusher.  
Commercial use is for rock crusher.

11. Map of proposed point of diversion and place of use attached? [ ]

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

See Original  
Applicant

Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_

Fee \$ 50.00 N 9709 11/27/95  
50.00 Receipted by \_\_\_\_\_ #N009112 Date 6/26/1995

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED  
JAN 21 1996

**RECEIVED**  
JAN 18 1996STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR

## APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

Applicant KOOTENAI PROPERTIES, INC. Phone 687-1111  
Address 1647 E. MILES AVE HAYDEN ID 83835I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-8921, and request that the permit and permit map be amended and/or changed as follows:Purpose of Amendment: Change point of diversion Add point of diversion  
X Change place of use Change nature of use Change period of use Other1. Point of diversion: NW 1/4 NW 1/4 NE 1/4, Section 34, Township 52N, Range 4W, B.M.,  
County of KOOTENAI. Other points of diversion \_\_\_\_\_

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.12 for DOMESTIC purposes from 7/1 to 12/31 (both dates inclusive)  
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount 0.12 for COMMERCIAL purposes from 7/1 to 12/31 (both dates inclusive)  
(cfs or acre feet per annum) (water use) (Begin month) (End month)Amount 0.12 for IRRIGATION purposes from 3/15 to 7/15 (both dates inclusive)  
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

| T<br>w<br>p | R<br>g<br>e | S<br>e<br>c | NE 1/4 |             |             |    | NW 1/4 |    |    |    | SW 1/4      |             |    |    | SE 1/4 |    |    |    | TOTALS   |
|-------------|-------------|-------------|--------|-------------|-------------|----|--------|----|----|----|-------------|-------------|----|----|--------|----|----|----|----------|
|             |             |             | NE     | NW          | SW          | SE | NE     | NW | SW | SE | NE          | NW          | SW | SE | NE     | NW | SW | SE |          |
| <u>52N</u>  | <u>4W</u>   | <u>34</u>   |        | <u>C, D</u> | <u>C, D</u> |    |        |    |    |    | <u>C, D</u> | <u>C, D</u> |    |    |        |    |    |    | <u>8</u> |
|             |             |             |        | <u>2</u>    | <u>2</u>    |    |        |    |    |    | <u>2</u>    | <u>2</u>    |    |    |        |    |    |    |          |
|             |             |             |        |             |             |    |        |    |    |    |             |             |    |    |        |    |    |    |          |
|             |             |             |        |             |             |    |        |    |    |    |             |             |    |    |        |    |    |    |          |
|             |             |             |        |             |             |    |        |    |    |    |             |             |    |    |        |    |    |    |          |
|             |             |             |        |             |             |    |        |    |    |    |             |             |    |    |        |    |    |    |          |
|             |             |             |        |             |             |    |        |    |    |    |             |             |    |    |        |    |    |    |          |
|             |             |             |        |             |             |    |        |    |    |    |             |             |    |    |        |    |    |    |          |
|             |             |             |        |             |             |    |        |    |    |    |             |             |    |    |        |    |    |    |          |

Total number of acres to be irrigated = 8

4. a. Who owns the property at the point of diversion? APPLICANT
- b. Who owns the land to be irrigated at the place of use? APPLICANT
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: \_\_\_\_\_

JAN 31 1996

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Scale: 2 inches equal 1 mile

will be made at my own risk.

Signed this 1st

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by

Publication prepared by

Date \_\_\_\_\_

Publication dates

Published in

of the Department of Water Resources hereby

Witness my hand this

day of

61

## SIGNATURE

769-1150

**RECEIVED**  
AUG 24 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 95-8921

Department of Water Resources To appropriate the public waters of the State of Idaho

- Name of applicant Kootenai Properties, INC Phone 208-687-1111  
Post office address 1647 E. Miles Ave Hayden, ID 83835
- Source of water supply Groundwater which is a tributary of \_\_\_\_\_
- Location of point of diversion is NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 34 Township 52N Range 4W B.M. Kootenai County; additional points of diversion if any: \_\_\_\_\_
- Water will be used for the following purposes:  
Amount .12 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount .12 for Commercial purposes from 1/1/95 to 12/31/95 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount .12 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) .12 cubic feet per second and/or (b) \_\_\_\_\_ acre feet per annum
- Proposed diverting works:
  - Description of ditches, flumes, pumps, headgates, etc. 7 1/2 HP Grundfos Pump + Well
  - Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage: \_\_\_\_\_ to \_\_\_\_\_ inclusive.
  - Proposed well diameter is 8" inches; proposed depth of well is 300' feet.
  - Is ground water with a temperature of greater than 85°F being sought? NO
  - If well is already drilled, when? 4/95; Drilling firm United Drilling - Hayden, ID; Well was drilled for (well owner) Kootenai Properties INC #9595-N-0059-000.
- Time required for the completion of the works and application of the water to be proposed beneficial use is 5 year years (minimum 1 year).

JAN 01 1996

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.

9. Description of place of use:

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 column.

ponding place of use below. See instructions for standard symbols.

[illegible]

Total number of acres to be irrigated

8 ~~8~~

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? State

b. Who owns the land to be irrigated or place of use? Rosemary Ruppel, LLC

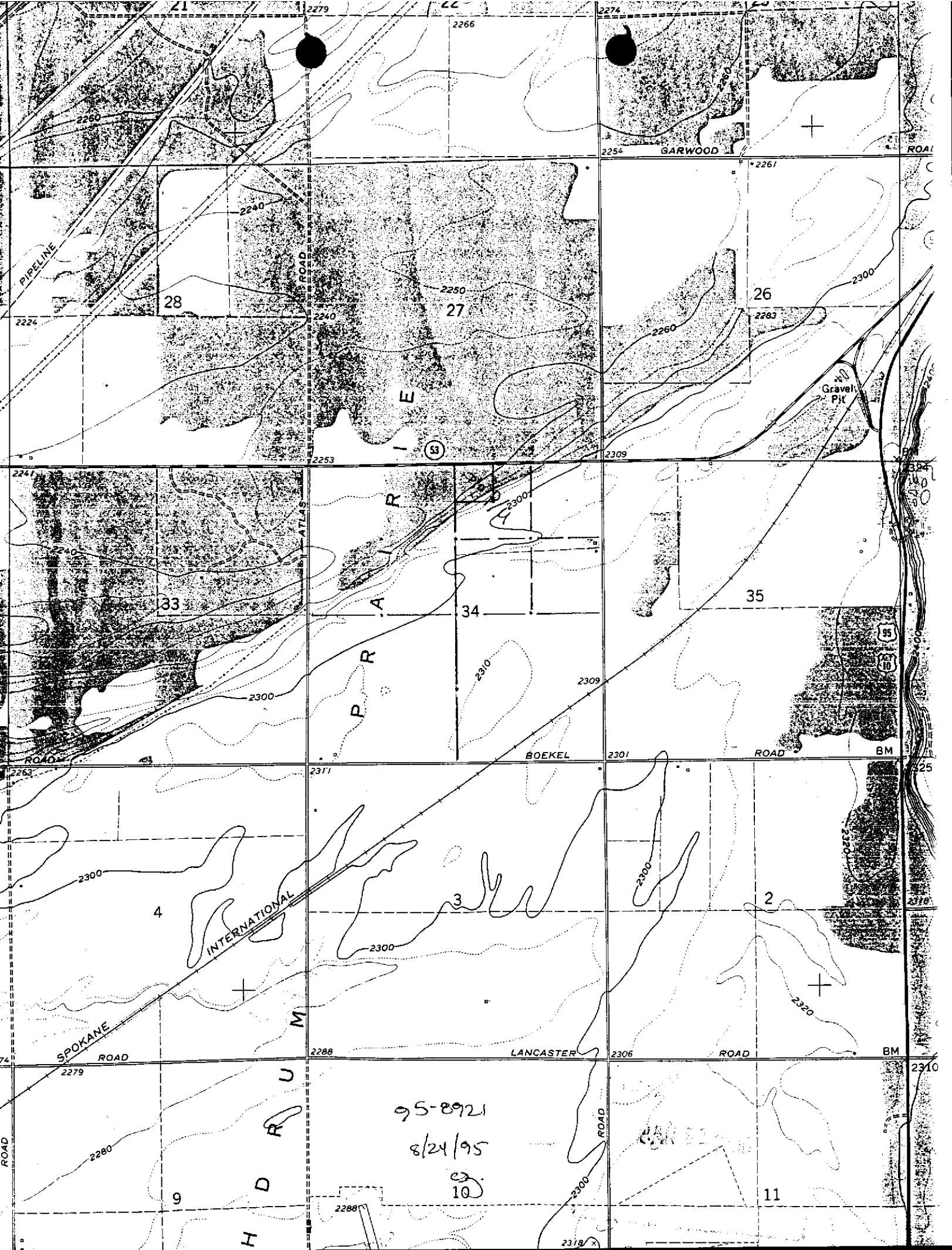
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

12. Remarks:

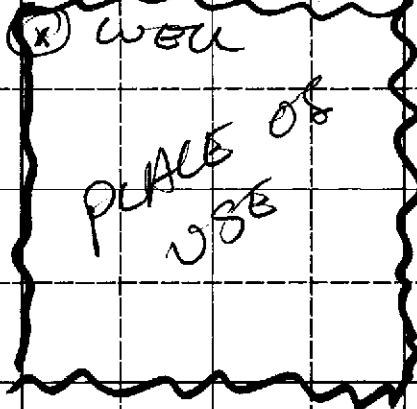
Remarks: I have had this app many times and have written everything told me not to copy ~~write~~ write either correct - sorry for the delay J.S.





13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

Sec 34 Twp 52N R 4W BM Kootenai Cty



34

T. 52N., R. 4W.

Scale: 2 inches equal 1 mile.

JAN 31 1996

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

*Sherron Roys*  
(Applicant) Vice President

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

Received by CP Date 6/24/95 Time 1:30p  
Fee \$ \$ 52.00  
Received by CP # NIC9112 Date 6/26/95  
Publication prepared by CP Date 7/12/95 Published in Idaho News 7/20 & 27/95  
Publication approved CP Date 8/2/95

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

\_\_\_\_\_, 19\_\_\_\_.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: \_\_\_\_\_



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](http://www.idwr.state.id.us)

January 22, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

SHERMAN DIONNE  
KOOTENAI PROPERTIES INC  
1647 E MILES AVENUE  
HAYDEN LAKE ID 83835

**PROOF ACKNOWLEDGMENT LETTER**

**RE:** Permit No. 95-08921

Dear Permit Holder:

The Department is in receipt of the proof of beneficial use statement and the \$125.00 license examination fee filed in connection with the above referenced water right permit.

According to your Proof of Beneficial Use and your permit you are appropriated 0.12 cfs of water. The license examination fee for 0.12 cfs is \$50.00. Therefore, I will request that you are refunded the excess \$75.00 exam fee you paid. The refund should arrive in seven (7) to ten (10) business days under separate cover issued by the State of Idaho.

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.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have any questions concerning the field examination, contact the **Northern** Regional Office in Coeur d'Alene, at (208)769-1450.

Sincerely,

Deborah J. Gibson  
Administrative Assistant  
Water Allocation Bureau

c: IDWR - Region  
Fiscal

MICROFILMED

APR 11 2001

## ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-8921

Reviewed By: dgibson

Date: January 22, 2001

|                                   | <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.:             | 95-95-N-59 |           |
| Appropriate fee submitted?        |            | X         | Drilling permit upgrade needed?  |            |           |
| Receipt No.:                      |            | C051406   | Well driller's report filed?     |            | X         |
| Additional Amount Due:            |            |           | Measuring device required?       |            | X         |
| Name and address same as permit?  | X          |           | Measuring device installed?      |            |           |
| Are the water uses correct?       | X          |           | Measure device waiver requested? |            |           |

### Priority Calculation

|                     |   |            |
|---------------------|---|------------|
| Date proof received |   | 12/08/2000 |
| Date proof due      | - | 02/01/2001 |
| No. of days late    | = | 0          |
| Holiday allowance   | + |            |
| Priority date       | + | 06/26/1995 |
| New priority date   | = | 06/26/1995 |

### Deficiencies of Actions Items

Acknowledge proof and refund \$75.00 from over-payment of examination fee.

# Idaho Department of Water Resources Receipt

Receipt ID C051406

|                |          |               |                    |        |       |        |
|----------------|----------|---------------|--------------------|--------|-------|--------|
| Payment Amount | \$125.00 | Date Received | 12/8/00 9:15:37 AM | Region | State | Status |
| Payment Type   | Check    | Check Number  | 2080               |        |       |        |

Payer PACIFIC NORTHWEST AGGREGATES

Comment sherman &amp; Darlene Dionne #95-08921

## Fee Detail

| Amount   | Description    | Fund | FD | PCA   | SO   |
|----------|----------------|------|----|-------|------|
| \$125.00 | BENEFICIAL USE | 0229 | 21 | 56104 | 1155 |

  
\_\_\_\_\_  
Signature Line (Dept. Representative)

MICROFILMED

DEC 11 1900

KOOTENAI PROPERTIES, INC  
East 1647 Miles Avenue  
Hayden Lake, Idaho 83835

RECEIVED

DEC 08 2000

Department of Water Resources

5 December 2000

Ms. Deborah Gibson, Administrative Assistant  
Idaho Department of Water Resources  
1301 North Orchard Street  
PO Box 83720  
Boise, Idaho 83720-0098

RE: Permit Number 95-08921

Dear Ms. Gibson:

Enclosed please find our Proof of Beneficial Use for the above permit.

We will ask that you notify Allen Beardslee of the local office and we will use him for the designated field examiner. I am enclosing a check in the amount of \$125.00 for the fee for his services.

If you have further questions, I can be reached at 208 772 2326 or email at [dionne@dmr.net](mailto:dionne@dmr.net).

Yours very truly,

  
Sherman Dionne

Enclosure: Proof Due Notice  
Pacific NW Aggregates chk #2080 \$125.00

*Lee Noether*

MICROFILMED

APR 1 1991

November 30, 2000

KOOTENAI PROPERTIES INC  
1647 E MILES AVE  
HAYDEN ID 83835

PROOF DUE NOTICE

RE: PERMIT NO. 95-08921

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 February 1, 2001.

(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.

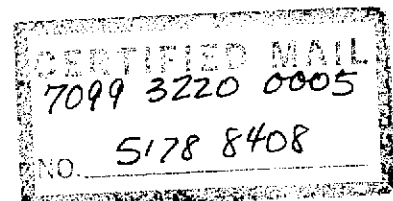
SINCERELY,

DEBORAH GIBSON  
Administrative Assistant

Enclosures

MICROFILMED

APR 1 1 2001





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

January 29, 1996

KOOTENAI PROPERTIES INC  
1647 E MILES AVE  
HAYDEN ID 83835

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08921

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/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.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED  
JAN 31 1996

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

No.: 95-8924 Name: Kootenai Properties Date: 1/24/96 Ad OK? ✓  
Correct Fee? ✓ Receipt #: N9709 Priority: 6/26/95 ✓ 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. 95-95-N-0059-000, 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 - ~~028(may report)~~-01J(meas dev)-**P08**  
=/- 0.2 cfs - ~~028(may report)~~-01H(lock dev)-**P01** or No MD  
=/+ 5 a. irr. - ~~028(may report)~~  
~~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-† 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) - 021(Boise R † L Peak); 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 - ~~05A~~ (0.02 cfs/A)  
Mining - 054 (req) & 06A/010/09E-P10  
Power - 08A-17K-025-027-01M-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), NA  
**LOCATION:**  
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 - **B** <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:** - ① WB9/8 ② Down/officer & rock crusher  
③ PD/ISB ④ PU/ISB C.D. 16, 26, 31-34.  
**BENEFICIAL USE DUE:** - 2-1-2001  
**COMMENTS:** -

State of Idaho  
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: AS

Right Number 95-08921

Applicant KOOTENAI PROPERTIES, INC.

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).  
☐ Increase amount. ☒ Change place of use. ☐ Other \_\_\_\_\_

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) \_\_\_\_\_
- ☒ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☐ No Should date of priority be delayed? If yes, to what date? \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 12/29/95
- ☒ Amendment published correctly. 1/2/95
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By \_\_\_\_\_ Date \_\_\_\_\_
- ☐ Approved copy sent to applicant and to Region. By \_\_\_\_\_ Date \_\_\_\_\_

1/10/96 - AS

**RECEIVED**  
JAN 18 1996

Department of Water Resources

*Transferred to Vacant*  
*NOT-AMEND-KOOTENAI*  
*to STATE-ADJ:VLT-WP;\*. \**  
*12/13/95 do*

No. a  
4/87-06/92n

DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 95-8921

WR1  
WRapps  
BC

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

APPLICANT: KOOTENAI PROPERTIES BY: AS DATE: 7/10/95

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

\*\*\* 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: 6/26/95

☒ (Include Moratorium Remark)

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

CA/ Shurs/ok

ADVERTISE IN: KOOTENAI County.

LETTERS 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)

- ☒ Groundwater management area
- ☒ Critical ground water area
- ☒ Well Drilling Permit required
- ☒ Well Drilling Application and Fees received
- ☒ Well Drilling Application approved?
- ☒ Well Drilling Application Number 95-95-N-59 (must upgrade)

Checked by: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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

\*\*\*\*\* 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: \_\_\_\_\_
- ☒ Publication dates and paper recorded on application
- ☒ Protests received. Final protest date: 8/17/95
- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions: \_\_\_\_\_
- ☒ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: AS Date: 8/3/95

SHERMAN WILL FAX LIST OF OFFICERS 7/10/95  
AS PER PHONE CONVERSATION.

# AFFIDAVIT OF PUBLICATION

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

Keri Alexander 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 Thurs.  
issue of said newspaper for 2 consecutive weeks  
commencing on the 21st day of December, 1995, and  
ending on the 28th day of December, 1995, 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.

Keri Alexander

Subscribed and sworn to before me this 28th day of December  
1995.

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 AMENDMENT  
NOTICE IS HEREBY GIVEN THAT  
APPLICATION FOR PERMIT NO. 95-  
08921 in the name of KOOTENAI PROP-  
ERTIES, INC., 1647 E. MILES AVENUE,  
HAYDEN, ID 83835, was amended. ok

The location of place of use was originally  
described as NWNE, S34, T52N, R04W;  
whereas, amended- it reads NWNE,  
SWNE, NESW, AND NWSW, S34, T52N,  
R04W, WITH 2 ACRES IN EACH LOCA-  
TION FOR A TOTAL OF 8 ACRES.

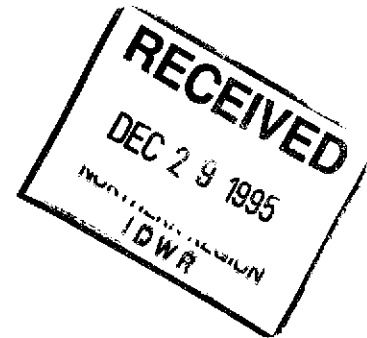
(For additional information concerning  
the property location, call the Northern  
Regional Office at 769-1450.)

Any protests against the approval of the  
above-referenced amendment must be  
filed with the applicant and with the Direc-  
tor, Dept. of Water Resources, 1910 North-  
west Blvd., Suite 210, Coeur d'Alene, Id.  
83814, together with a protest fee of  
\$25.00 on or before JANUARY 8, 1996.

KARL J. DREHER, DIRECTOR

Legal 929

Dec. 21, 28, 1995



JAN 31 1996

NOTICE OF AMENDMENT

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-08921 in the name of KOOTENAI PROPERTIES, INC., 1647 E. MILES AVENUE, HAYDEN, ID 83835, was amended.

The location of place of use was originally described as NWNE, S34, T52N, R04W; whereas, amended it reads NWNE, SWNE, NESW, AND NWSW, S34, T52N, R04W, WITH 2 ACRES IN EACH LOCATION FOR A TOTAL OF 8 ACRES.

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

Any protests against the approval of the above-referenced amendment 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 JANUARY 8, 1996.

KARL J. DREHER, DIRECTOR

Published in the COEUR D ALENE PRESS on 12/21 and 28/95.

MAILED  
JAN 21 1996

December 13, 1995

Coeur d'Alene Press  
Second and Lakeside  
Coeur d'Alene, ID 83814

Re: 95-08921 - NOTICE OF AMENDMENT

Gentlemen:

Enclosed you will find a legal Notice of Amendment of a Permit for a Water Right 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 January 8, 1996.

Thank you.

Sincerely,

Dianne Ball  
Senior Secretary

Enclosure

4038

December 13, 1995

Kootenai Properties, Inc.  
1647 E. Miles Ave.  
Hayden, ID 83835

Re: Water Appropriation Application No. 95-08921

Dear Kootenai Properties, Inc.:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Amendment of the above referenced Water Right Permit.

Your application for amendment to the above referenced water right permit is currently being prepared for advertising in the 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.

If the application for amendment is not protested, it will be forwarded to Boise to be considered for approval by the Director. 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 for amendment 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.

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

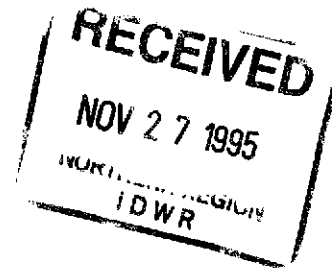
Sincerely,

ALLEN BEARDSLEE  
Senior Water Resources Agent

AB:db

P.S. Enclosed is Receipt No. N009709 for amendment filing fee.

23 November 1995



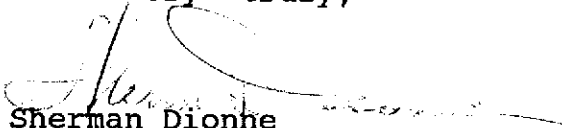
Mr. Allen Beardslee, Water Resource Agent  
Idaho Department of Water Resources  
Northern Region Suite 210  
1910 Northwest Boulevard  
Coeur d'Alene, Idaho 83843

Re: Application for Permit #95-08921

Dear Allen:

Please accept my check for \$50.00 for amended permit for above permit, Steppingstones Sub-Division, Kootenai County, Idaho.

Yours very truly,

  
Sherman Dionhe  
Kootenai Properties, Inc.  
1647 E. Miles Avenue  
Hayden Lake, Idaho 83835

208 772 2326

Idaho Rock Products, Inc. check #2083

NOV 27 1995  
NOV 27 1995

KOOTENAI PROPERTIES, INC.  
1647 East Miles Avenue  
Hayden Lake, Idaho 83835  
208 687 1111

18 September 1995

*Wayne Baldwin*  
Mr. Allen Beardslee, Senior Water Resource Agent  
Idaho Department of Water Resources  
Northern Region Suite 210  
1910 Northwest Boulevard  
Coeur d'Alene, Idaho 83814-2615

Re: Application for Permit #95-08921

Dear Mr. Beardslee:

I am sorry for the confusion I have caused in regards to the permit listed above.

Kootenai Properties, Inc. owns a total of 90 acres, 9 each 10 acre tracts--more or less, situated in Section 34, Township 52N, Range 4 WBM, located in Stepping Stones Subdivision Kootenai County.

Of the nine 10 acre tracts, five of them are zoned mining. Four are presently zoned Suburban Agriculture.

Upon installing our well we had originally planned to furnish water only to the mining area. The Board of Directors later changed their minds to add water to six of these ten acre tracts for a total of 6 homesites. Steppingstones Subdivision allows only one home per ten acres.

So I will amend the original application to request water to irrigate 6 homesites plus possible future industrial use on the present 30 acres defined as lot 15.

The homesites are identified as lots 16 and 26, and lots 31, 32, 33, and 34 of legal furnished in letter to Zimmerman dated 12 September 1995.

Thank you for your patience in this matter.

Yours very truly,

*Sherman Dionne*

Sherman Dionne, V. Pres.

RECEIVED  
JAN 31 1996

*Copy to  
Wayne Baldwin*

*File copy*

Kootenai Properties, Inc.  
East 1647 Miles Avenue  
Hayden Lake, Idaho 83835

12 September 1995

Ms. Cindy Zimmerman  
Department of Water Resources  
1301 N. Orchard St.  
Statehouse Mail  
Boise, Idaho 83720-9000

RE: Application Permit #95-08921

Dear Ms. Zimmerman:

I faxed this information to you yesterday but am writing this for permanent records.

Correct legal for the 90 acres owned by Kootenai Properties, Inc., all located in Section 34, Township 52 N, Range 4 WBM, Steppingstones Subdivision, Kootenai County:

*Wellson* Lot 15 W 1/2 NW 1/4, NW 1/4 of NE 1/4 and SE 1/4 NW 1/4, NW 1/4 of NE 1/4, 30 acres m/l

*of well* Lot 16 and 26 N 1/2 SW 1/4 NW 1/4 NE 1/4 20 acres m/l

*over* Lots 31, 32, 33, 34 S. 660' of NW 1/4.

I trust this information will complete our application as requested.

Yours very truly,

Sherman Dionne  
Kootenai Properties Inc.  
1647 E. Miles Avenue  
Hayden Lake, Idaho 83835  
208 772 2326

*W 1/2 NW* *NWNE* *SE NW*  
*ok NWNE*  
JAN 31 1996

***Kootenai Properties  
Incorporated***

AN IDAHO CORPORATION

Sherman Dionne  
Vice President

1647 E. Miles Ave.  
Hayden Lake, Idaho 83835

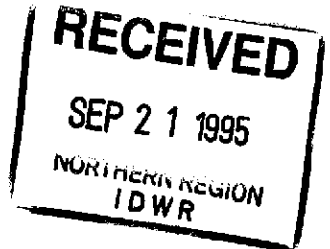
Ph. (208) 772-2326  
Fax (208) 772-7842

687-1111

*Copy to  
Wayne Baldwin*

*File copy*

Kootenai Properties, Inc.  
East 1647 Miles Avenue  
Hayden Lake, Idaho 83835



12 September 1995

Ms. Cindy Zimmerman  
Department of Water Resources  
1301 N. Orchard St.  
Statehouse Mail  
Boise, Idaho 83720-9000

RE: Application Permit #95-08921

Dear Ms. Zimmerman:

I faxed this information to you yesterday but am writing this for permanent records.

Correct legal for the 90 acres owned by Kootenai Properties, Inc., all located in Section 34, Township 52 N, Range 4 WBM, Steppingstones Subdivision, Kootenai County:

*Wellcome* Lot 15 (W 1/2 NW 1/4) (NW<sup>C</sup> 1/4 of NE 1/4) and (SE 1/4 NW 1/4) (NW 1/4 of NE 1/4,) 30 acres m/l

*of well* Lot 16 and 26 N 1/2 SW 1/4 NW 1/4 NE 1/4 20 acres m/l

*sees* Lots 31, 32, 33, 34 S. 660' of NW 1/4.

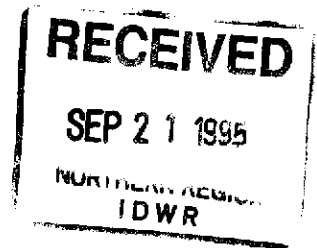
I trust this information will complete our application as requested.

Yours very truly,

Sherman Dionne  
Kootenai Properties Inc.  
1647 E. Miles Avenue  
Hayden Lake, Idaho 83835  
208 772 2326

JAN 31 1996

KOOTENAI PROPERTIES, INC.  
1647 East Miles Avenue  
Hayden Lake, Idaho 83835  
208 687 1111



18 September 1995

*Wynne B. & D. W.*  
Mr. ~~Allen Beardslee~~, Senior Water Resource Agent  
Idaho Department of Water Resources  
Northern Region Suite 210  
1910 Northwest Boulevard  
Coeur d'Alene, Idaho 83814-2615

Re: Application for Permit #95-08921

Dear Mr. Beardslee:

I am sorry for the confusion I have caused in regards to the permit listed above.

Kootenai Properties, Inc. owns a total of 90 acres, 9 each 10 acre tracts--more or less, situated in Section 34, Township 52N, Range 4 WBM, located in Stepping Stones Subdivision Kootenai County.

Of the nine 10 acre tracts, five of them are zoned mining. Four are presently zoned Suburban Agriculture.

Upon installing our well we had origionally planned to furnish water only to the mining area. The Board of Directors later changed their minds to add water to six of these ten acre tracts for a total of 6 homesites. Steppingstones Subdivision allows only one home per ten acres.

So I will amend the origional application to request water to irrigate 6 homesites plus possible future industrial use on the present 30 acres defined as lot 15.

The homesites are identified as Lots 16 and 26, and lots 31, 32, 33, and 34 of legal furnished in letter to Zimmerman dated 12 September 1995.

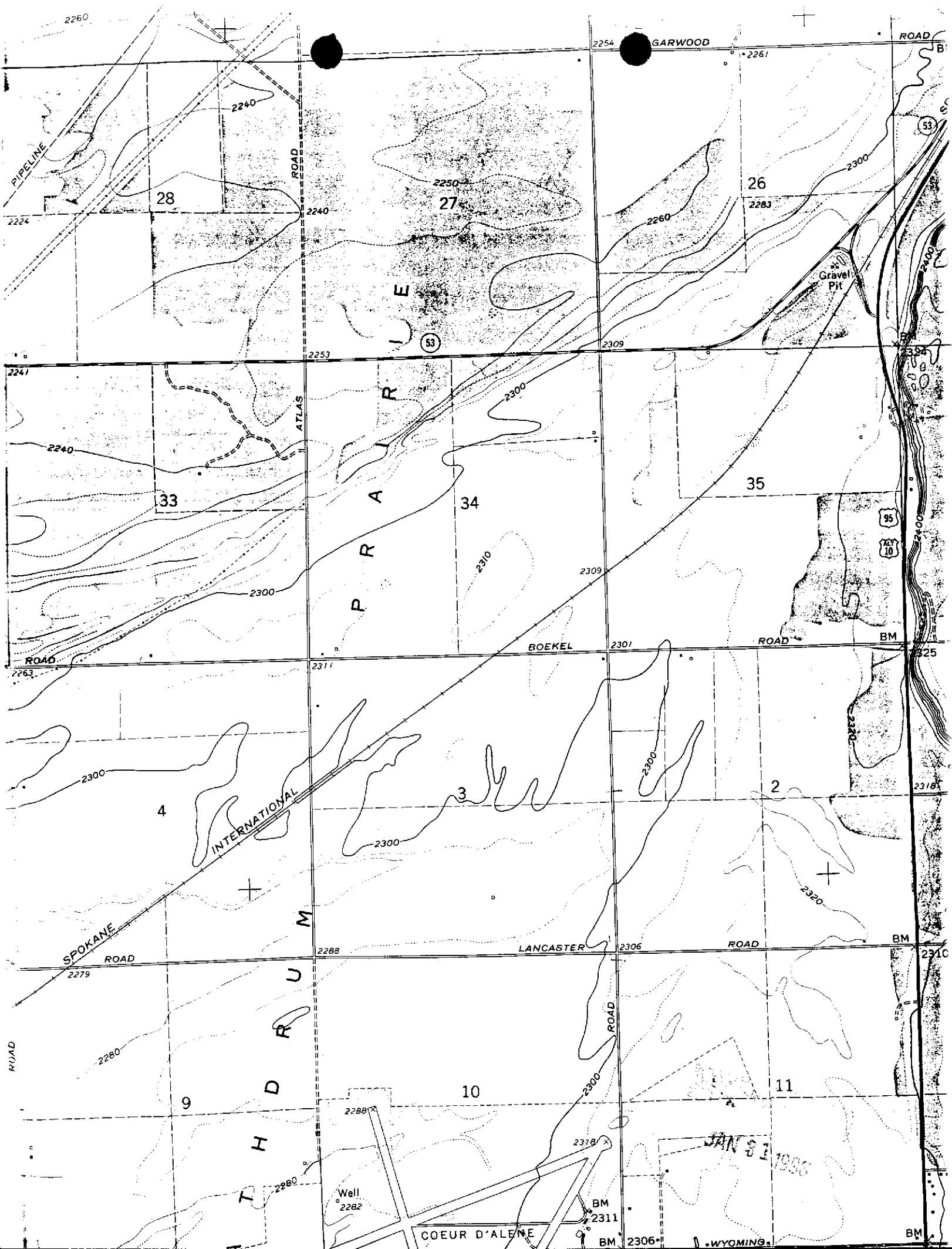
Thank you for your patience in this matter.

Yours very truly,

*Sherman Dionne*  
Sherman Dionne, V. Pres.

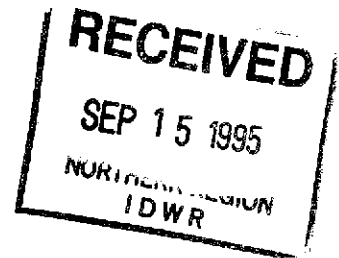
*cc: letter Zimmerman*

*RECEIVED*  
JAN 31 1996



## MEMORANDUM

DATE: September 11, 1995  
TO: Bob Haynes, Northern Region  
THRU: Shelley Keen *SK*  
FROM: Cindy Zimmerman *CZ*  
SUBJECT: Review of Application for Permit No. 95-08921



=====

During the review of this application, I requested and received a subdivision plat for the 8 homes.

The application identifies the place of use as within the NWNE, S34, T52N, R04W. I noted on the plat submitted by the applicant that the places of use identified were located within the NWNE, **SWNE**, **NESW**, and **NWSW**, S34, T52N, R04W.

Today, I received a fax from the applicant, requesting the application be amended to include the additional  $\frac{1}{4}$ s.

Per telecon with Al Beardslee, I am returning this application to you for solicitation of an amendment to the application and advertisement of that amendment.

Thanks,

*Cindy*

RECEIVED  
JAN 31 1996

Kootenai Properties, INC.  
**IDAHO ROCK PRODUCTS CO.**

1647 EAST MILES AVENUE • HAYDEN LAKE, IDAHO • 83835

(208) 772-2326

FAX 208 687-1111

11 September 1995

Ms Cindy Zimmerman  
Dept Water Resources  
1301 N. ORCHARD ST  
Boise, Idaho 83720-9000

Re Application Permit # 95-08921

Dear Cindy;

This is An Amendment to application dated 30 Aug '95,  
Permit # 95-08921.

Correct Legal for Kootenai Properties ownership  
all in Sect. 34, Township 52N, R. 4W B.M. are:

Lot 15: W $\frac{1}{2}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  of NE $\frac{1}{4}$  AND SE $\frac{1}{4}$ , NW $\frac{1}{4}$   
NW $\frac{1}{4}$  of NE $\frac{1}{4}$ . 30 ACres M/L

Lot 26 & 16 N $\frac{1}{2}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  20 AC M/L

Lot 31, 32, 33, 34 S. 660' of NW $\frac{1}{4}$ . 40 AC M/L

Ownership 90 ACres.

JAN 31 1996

SHERMAN, Dianne

30 August 1995

RECEIVED  
SEP 05 1995  
Department of Water Resources

Ms. Cindy Zimmerman, Water Resource Agent  
Department of Water Resources  
State of Idaho  
1301 North Orchard Street Statehouse Mail  
Boise, Idaho 83720-9000

RE: Application for Permit No. 95-08921

Dear Ms. Zimmerman:

Reference your letter to Kootenai Properties, Incn. dated 24 August 1995.

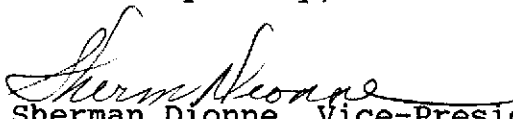
I am enclosing with this letter, copy of surveyed plat identifying the location of non-domestic areas, and any common area we may at a later date furnish water to properties owned by us.

There are presently no homes on the 9 tracts of land. Of the 9 lots owned by Kootenai Properties, Inc., five of the lots are zoned mining and would be classified as non-domestic. The four lots shown in green allow domestic use.

We want the permit to allow us to service these 5 mining lots and perhaps the 4 residential lots at a later date if occupied.

If you have further questions, I may be reached at 208 687 1111 or 208 772 2326 evenings.

Yours very truly,

  
Sherman Dionne, Vice-President  
Kootenai Properties, Inc.  
1647 E. Miles Avenue  
Hayden Lake, Idaho 83835

Enclosures: Photocopies platted map  
Ownership map  
Plat location well

JAN 31 1996



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

August 24, 1995

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

SHERMAN DIONNE  
KOOTENAI PROPERTIES INC  
1647 E MILES AVE  
HAYDEN LAKE ID 83835

RE: Application for Permit No. 95-08921

Dear Mr. Dionne:

The above referenced application has been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

The application lists a domestic use for 8 homes, but a plat identifying the location of these homes was not included with the application. I need the plat to clarify where water will be diverted. Please provide a surveyed plat identifying the location of the well, the location of any common or non-domestic areas, as well as the size of each lot.

I will hold further processing on your application for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your application.

If you have any questions, please feel free to contact me at (208) 327-7944.

Sincerely,

Cindy Zimmerman  
Water Resource Agent

# AFFIDAVIT OF RECEIPT

STATE OF IDAHO,  
County of Kootenai,

ss.

JUL 28 1995

NORTHERN REGION  
IDWR

*Keri Alexander*

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 *THURS* issue of said newspaper for *2* consecutive *WEEKS* commencing on the *20th* day of *July*, 19*95*, and ending on the *27th* day of *July*, 19*95*, 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.

*Keri Alexander*

Subscribed and sworn to before me this *27th* day of *July*, 19*95*.

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

ROBERTA MANLEY  
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:

95-08918

TANNER, DONALD C  
1829 KILLARNEY WAY  
BELLEVUE, WA 98004  
Source: LAKE COEUR D'ALENE  
Tributary: SPOKANE RIVER  
Diversion Pt: LOT 1 (NENW) Sec 23 T  
49N R 04W in KOOTENAI County.  
Use: DOMESTIC (0.040 CFS)  
Total Diversion: (0.040 CFS)

Date Filed: 7/5/1995  
In: KOOTENAI County  
T49N R04W S23 Lot 1 (NENW)  
95-08919

KRAM, KEVIN  
P O BOX 985  
RATHDRUM, ID 838580985  
Source: UNNAMED STREAM  
Tributary: SINKS  
Diversion Pt: LOT 3 (NWSW) Sec 31 T  
53N R 04W in KOOTENAI County.  
Use: IRRIGATION (0.04 AF)  
STORAGE (0.04 AF)  
IRRIGATION FROM STORAGE (0.04 AF)  
RECREATION STORAGE (0.04 AF)  
RECREATION FROM STORAGE (0.04 AF)  
Total Diversion: (0.04 AF)

Date Filed: 7/6/1995  
In: KOOTENAI County  
T53N R04W S31 Lot 3 (NWSW)  
7.0 ACRES TOTAL  
95-08920

BUNN, STANLEY  
BUNN, LEATRICE  
W 10800 BUNN ROAD  
COEUR D'ALENE, ID 83814  
Source: SPRING  
Tributary: SINKS  
Diversion Pt: NWSWSE Sec 22 T 50N R  
05W in KOOTENAI County.  
Use: DOMESTIC (0.040 CFS)  
Total Diversion: (0.040 CFS)

Date Filed: 7/6/1995  
In: KOOTENAI County  
T50N R05W S22 SESE  
95-08921

KOOTENAI PROPERTIES INC  
1647 E MILES AVE  
HAYDEN, ID 83835  
Source: GROUNDWATER  
Diversion Pt: NWNWNE Sec 34 T 52N R  
04W in KOOTENAI County.  
Use: IRRIGATION (0.120 CFS)  
COMMERCIAL (0.120 CFS)  
DOMESTIC (0.120 CFS)  
Total Diversion: (0.120 CFS)  
Date Filed: 6/26/1995  
In: KOOTENAI County  
T52N R04W S34 NWNE  
8.0 ACRES TOTAL  
96-08882

DOOLITTLE, JAMES  
DOOLITTLE, JERI  
S 725 MONTAVILLA DRIVE  
SPOKANE, WA 99204  
Source: GROUNDWATER  
Diversion Pt: SWSW Sec 20 T 55N R 03E  
in BONNER County.  
Use: IRRIGATION (0.060 CFS)  
DOMESTIC (0.040 CFS)  
Total Diversion: (0.100 CFS)  
Date Filed: 6/29/1995  
In: BONNER County  
T55N R03E S20 SWSW  
2.0 ACRES TOTAL  
96-08883

SALOIS, GENE  
SALOIS, PATRICIA  
BOX 417  
BAYVIEW, ID 83803  
Source: GROUNDWATER  
Diversion Pt: NWNE Sec 7 T 53N R 02W  
in KOOTENAI County.  
Use: IRRIGATION (0.170 CFS)  
STOCKWATER (0.040 CFS)  
DOMESTIC (0.170 CFS)  
Total Diversion: (0.170 CFS)

Date Filed: 7/2/1995  
In: KOOTENAI County  
T53N R02W S07  
NWNE SWNE SENE NESW  
NESE NWSE SWSE SESE  
16.0 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 AUGUST 7, 1995.

KARL J. DREHER, Director

Legal 185  
July 20, 27, 1995

95-08921

KOOTENAI PROPERTIES INC  
1647 E MILES AVE  
HAYDEN, ID 83835

Source: GROUNDWATER

Diversion Pt: NWNWNE Sec 34 T 52N R 04W in KOOTENAI County.

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

Date Filed: 6/26/1995

In: KOOTENAI County  
T52N R04W S34 NWNE

8.0 ACRES TOTAL

JAN 31 1996

KOOTENAI PROPERTIES, INC.  
EAST 1647 MILES AVENUE  
HAYDEN LAKE, IDAHO 83835



14 August 1995

Mr. Robert G. Haynes, Regional Manager  
State of Idaho Dept. of Water Resources  
Suite 210 1910 Northwest Boulevard  
Coeur d'Alene, Idaho 83814-1454

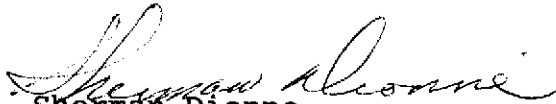
Re: Application for Permit NO. 95-0892  
Well Drilling Permit 95-95-N-59

Dear Mr. Haynes:

Per your letter of 8 August 1995, I am requesting the status of  
our well drilling permit be upgraded from domestic to non-  
domestic.

I am enclosing a check for \$165.00 to cover this change.

Yours very truly,

  
Sherman Dionne  
Vice President

Enclosure: Idaho Rock Products Check \$165.00

*Rec#N9380 165<sup>00</sup> 8/21/95*

*do*  
*8/21/95*

August 8, 1995

Kootenai Properties  
1647 E Miles  
Hayden ID 83835

Re: Application for Permit No. 95-08921 & Well Drilling Permit 95-95-N-59

Gentlemen:

The Department of Water Resources has completed the legal advertising of your application for permit to appropriate water. The filing is now ready to be sent our state office for approval. However, before we can do that, the status of the well drilling permit which was obtained by United Drilling prior to the drilling of your must be upgraded from that of a domestic well to a non-domestic. The fee for this change is \$165, payable to the Idaho Department of Water Resources. Please refer to the above referenced number so that we may ensure proper credit is given.

If you have any questions, please contact me.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Manager

July 14, 1995

Kootenai Properties, Inc.  
1647 E. Miles Ave.  
Hayden, ID 83835

Subject: Water Appropriation Application for Permit Number 95-08921

Dear Kootenai Properties, Inc:

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. Enclosed is Receipt Number N009112. To assist us in providing you with prompt, accurate service, please refer to the above Application for Permit Number in all future matters concerning this water right application.

Your Application for Permit is currently being prepared for advertising in the local county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for submittal of protests.

If your application is not protested, it will be forwarded to Boise for processing. Normal processing time is approximately 3 to 4 months, if the application is not protested. If your Application for Permit is protested, 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 your Application for Permit can be approved. If the protest is not resolved, 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 Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE  
Senior Water Resource Agent  
Enc. - Receipt

RECEIVED  
JAN 31 1996

JAN 31 1996

**KOOTENAI PROPERTIES, INC.**

107 Hazelwood, Fernan Village  
Couer d'Alene, ID 83814

**CORPORATE OFFICERS:**

Forrest G. Godde

President

Steven E. Godde

Vice President

Sherman Dionne

Vice President of Real Estate &amp; Development

Robert J. Tracz

Secretary

Gary M. Godde

Treasurer

*Fax to**AC,**Dept. of Water Resources**From:*

JUL 11 1995

*Sherman D*

KOOTENAI PROPERTIES, INC.  
1647 East Miles Avenue  
Hayden Lake, Idaho 83835  
208 772 2326

State of Idaho  
Department of Water Resources  
1910 Northwest Blvd. Suite 210  
Coeur d'Alene, Idaho 83814-2615

Gentlemen:

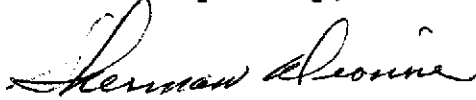
Enclosed is our completed application for permit, for a well located in Section 34, Township 52 North, Range 4 WBM, Kootenai County, Idaho.

Also check in the amount of \$50.00 issued by Idaho Rock Products, Inc. for the permit fee for Kootenai Properties, Inc.

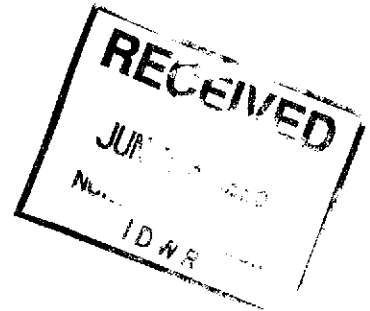
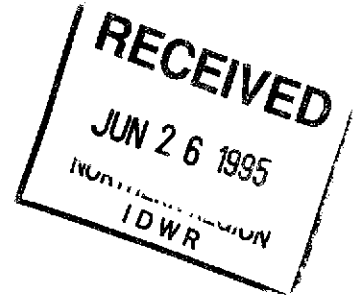
If you have any questions, I can be reached at 208 687 1111, Fax number the same.

Thank you for your patience since I understood United Drilling's instructions to me were to wait until the installation was complete.

Yours very truly,

  
Sherman Dionne  
Vice President

Enclosure: Permit App  
Idaho Rock check #1919



FORWARD WHITE COPY TO WATER RESOURCES