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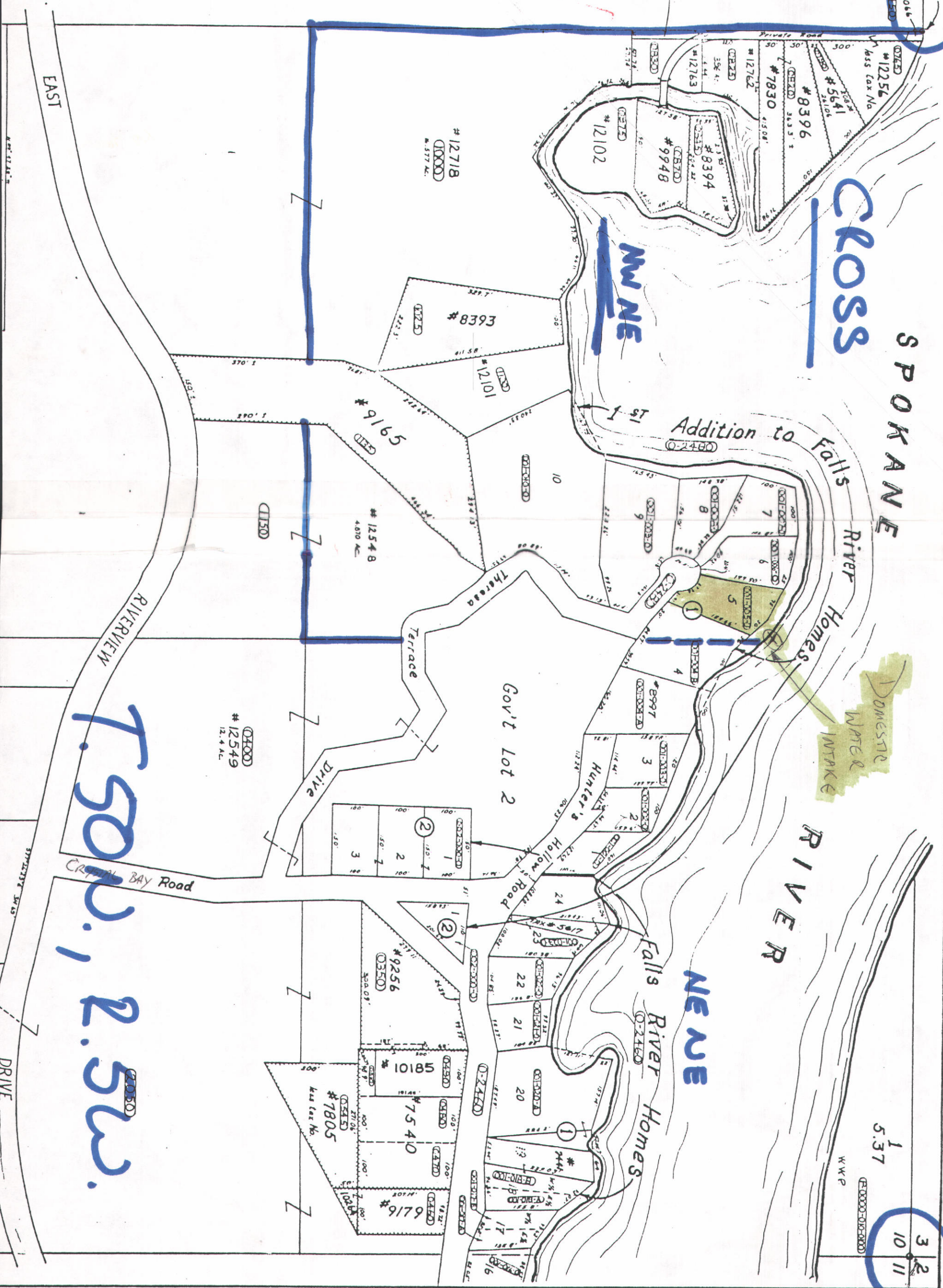
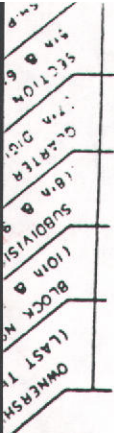
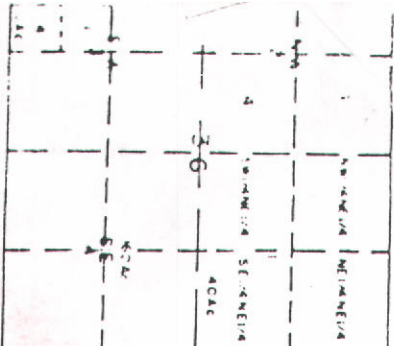
This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein.

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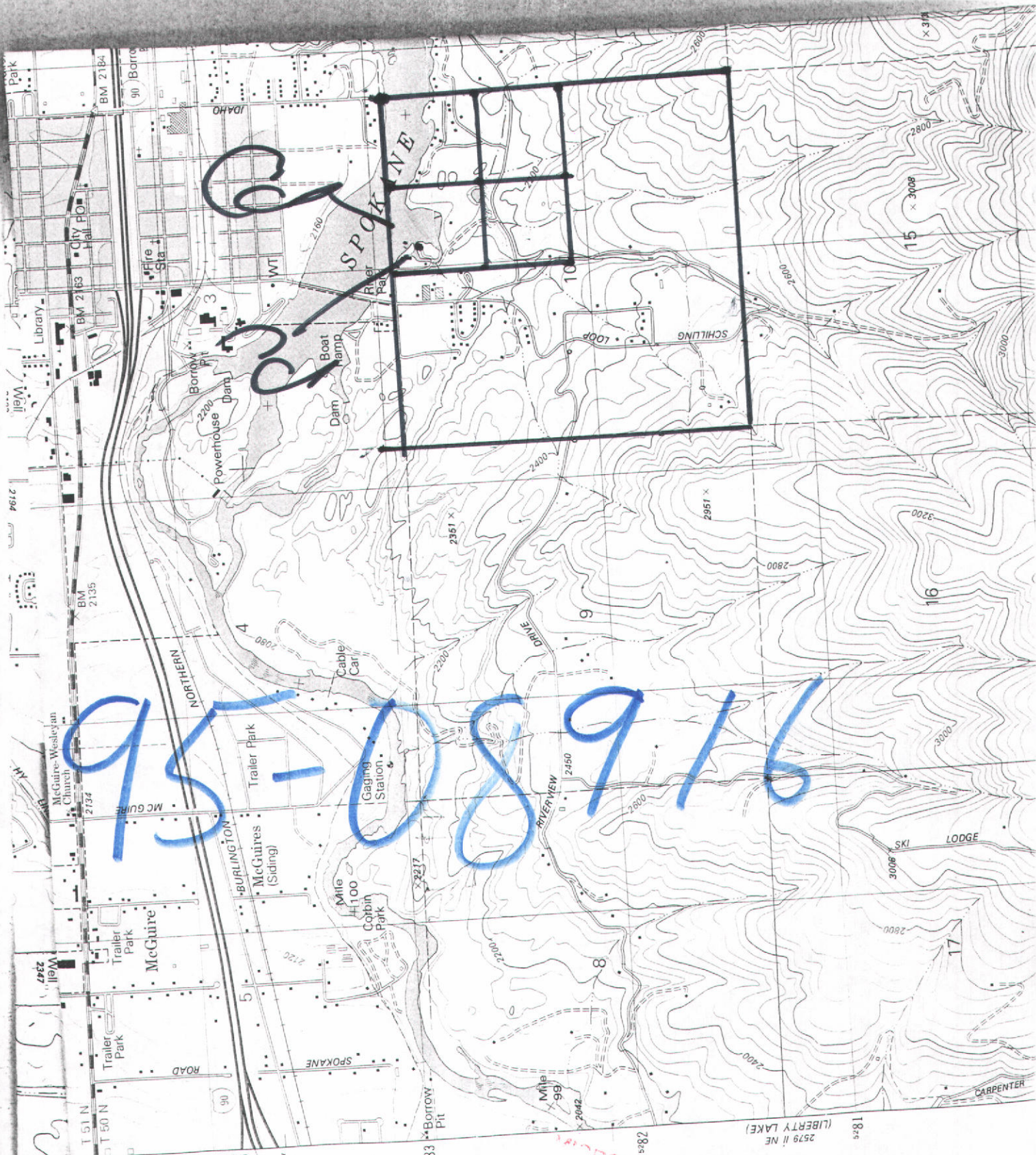
JENAI COUNTY
IDAHO

LECTION NUMBER SYSTEM
IN STANDARD TOWNSHIP

STANDARD SECTION



CROSS
T. 502. P. 54



REPROFILMED
OCT 12 2001



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95-08916

MICROFILMED
OCT 12 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-08916

Priority: June 5, 1995

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that COLIN J CROSS And/Or SUSAN CROSS
395 THERESA TERRACE DR
POST FALLS ID 83854 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 5, 1995; and has
submitted Proof of Beneficial Use on August 9, 1999. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

SPOKANE RIVER

Tributary: COLUMBIA RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPOKANE RIVER L3 NW¼NE¼ Sec. 10, Twp 50N, Rge 05W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	05W	10			X														
					L3														

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Place of use is located within Lot 5, Blk. 1, Falls River Homes 1st Addition.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 14th day of May, 2001.

MICROFILMED

OCT 12 2001

Acting for

KARL J. DREHER
Director

AUG 09 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 95-08916 Telephone No. 773-0430
2. Name(s) of Permit Holder(s): COLIN & SUSIE CROSS
3. Mailing Address: 395 THERESA TERRACE DR POST FALLS, ID
4. Source of Water: SPOKANE RIVER If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: 1 hp Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 2 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 1 acre Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 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: SUSAN CROSS Telephone Number: (208) 773-0430
Address: 395 THERESA TCE DR POST FALLS ID 83854
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:

MICROFILMED

Date: 4 July 1990

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

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08916

Proposed Priority: June 5, 1995

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **SUSAN CROSS**
COLIN J CROSS
395 THERESA TERRACE DR
POST FALLS ID 83854

has applied for a permit to appropriate water from:
SPOKANE RIVER tributary of **COLUMBIA RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWNE), Sec. 10, Township 50N, Range 05W
KOOTENAI County

PLACE OF USE: DOMESTIC
TWN RGE SEC
50N 05W 10 Lot 3(NWNE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1999.
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. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Place of use is located within Lot 5, Blk. 1, Falls River Homes 1st Addition.
6. Domestic use is for 2 homes.

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

17th day of August, 1995

Karl J. Dreher
for Karl J. Dreher, Director

AUG 28 1995

RECEIVED
10/92
AUG 14 1995

Ident. No. 95-8916

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant COLIN J. CROSS & SUSAN CROSS Phone (208) 773 0430
Post office address 395 THERESA TERRACE POSTFALLS ID 83854
2. Source of water supply SPOKANE RIVER which is a tributary of Columbia River
3. Location of point of diversion is [LOT 5 BLOCK 1 FALLS RIVER HOMES 1st ADDN]
1/4 of NW 1/4 of NE 1/4, Govt. Lot 3
Sec. 10 Township 50N Range 5W B.M. KOOTENAI County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.06 for Domestic purposes from Year Round 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)
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. ~1 1/2" Intake Pipe or SUBMERSIBLE
DOMESTIC WELL PUMP ~ 1 1/2" PVC pipe to House + PRESSURE
TANK, FILTRATION SYSTEM.
b. Height of storage dam N/A 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 N/A inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? N/A
e. If well is already drilled, when? N/A; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
5 (five) years (minimum 1 year).

AUG 28 1995

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

11. a. Who owns the property at the point of diversion? Self / IDADO DEPT. LANDS
b. Who owns the land to be irrigated or place of use? Self
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Enclosed Attachment 8 Form 11

[illegible]

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

(d) Domestic; show number of households.

c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

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

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

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *(see Attached PLAT)*

See Attached PLAT.

A large grid of graph paper, consisting of 20 columns and 20 rows of squares. In the bottom right corner, there is a rectangular stamp. The stamp contains the text "RECEIVED" in a bold, sans-serif font, with "AUG 28 1960" printed below it. The stamp is slightly tilted and has a dark, ink-like appearance.

Scale: 2 inches equal 1 mile.

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.

(Applicant)

(Applicant)

AUG 28 1995

RECEIVED

e. Other:

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.

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.

19

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby _____

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	_____	Date	6/5/95	Time	10:30	Preliminary check by	_____
Fee \$	50.00	Received by	_____	#	10-1011	Date	6/5/95
Publication prepared by	_____	Date	6/28	Published in	_____	Date	7/17/95
Publication approved	_____	Date	7/17/95				

WARNING: TO BE USED ONLY FOR REFERENCE
AND NOT FOR CONVEYANCE
OF INTERESTS - SEE COMMENT



This sketch is furnished without charge solely
for the purpose of showing the location of said
premises and the Company assumes no liability
for inaccuracies therein.

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JENAI COUNTY
IDAHO

SECTION NUMBER SYSTEM
IN STANDARD TOWNSHIP

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OTHER NAME AND NUMBER SYSTEM
IN STANDARD SECTION

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N.E. 1/4 Sec. 10 Twp. 50 N.R. 5 W.B.M. (50N05W-10)

1/4 Corner
#8066

CROSS
SPOKANE

RIVER

NE NE

NW NE

Addition to Falls River Homes
0-2480

Gov't Lot 2

Falls River Homes
0-2480

5.37
WKP

3 2
10 11

EAST

RIVERVIEW

T. 50 N., R. 5 W.

Bay Road

Drive

Terrace

Hollow Road

Hunter's

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4.577 AC.

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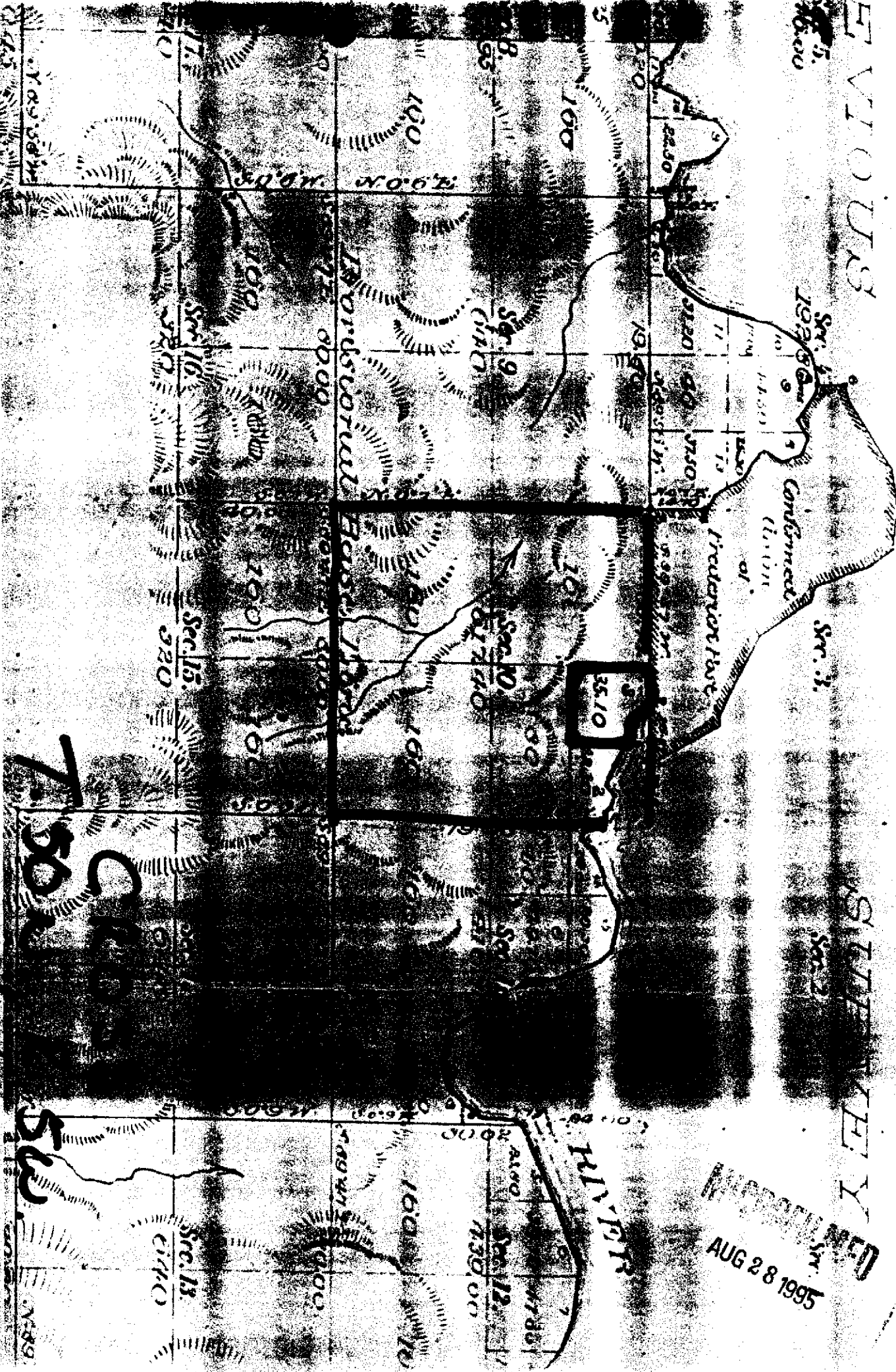
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Fredrick's Post

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STEEPLE HILL

RECORDED
AUG 28 1995





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 16, 2001

COLIN J CROSS
SUSAN CROSS
395 THERESA TERRACE DR
POST FALLS ID 83854

RE: License No. 95-8916 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:kl

Enclosure(s)

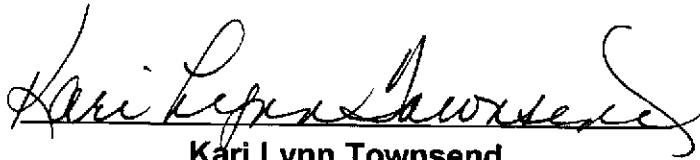
MICROFILMED
OCT 12 2001

CERTIFICATE OF MAILING

I hereby certify that on May 16, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 95-8916

**COLIN J CROSS
SUSAN CROSS
395 THERESA TERRACE DR
POST FALLS ID 83854**

A handwritten signature in cursive script, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 12 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICHOE
OCT 12 2011

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

95-8916

1. skeen 5/8/01 License Review

Comment: Licensing review and data entry by S. Keen on 5/8/2001

2. DBALL 6/12/95 DIVERSION DESCRIPTION

Comment: POD owned by Idaho Dept. of Lands - has encroachment permit. 1-1/2 inch intake pipe on submersible pump with 1-1/2 inch PVC pipe to house and pressure tank, filtration system.

3. KTOWNSEN 1/5/00 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

JUL 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTRECEIVED
OCT 18 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-089161. Owner: Susan Cross Phone No. (208) 773-0430Current Address: 395-Theresa Terrace Dr. Post Falls Id 838542. Accompanied by: Susan Cross EXAM DATE: 9-28-00Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spokane River tributary to Columbia River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	03		NW	NE	10	50N	05W	Kootenai	USGS 7.5-min Quad

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	05W	10		03 10															

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OCT 12 2001

2. Measurements:

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

D. FLOW MEASUREMENTS

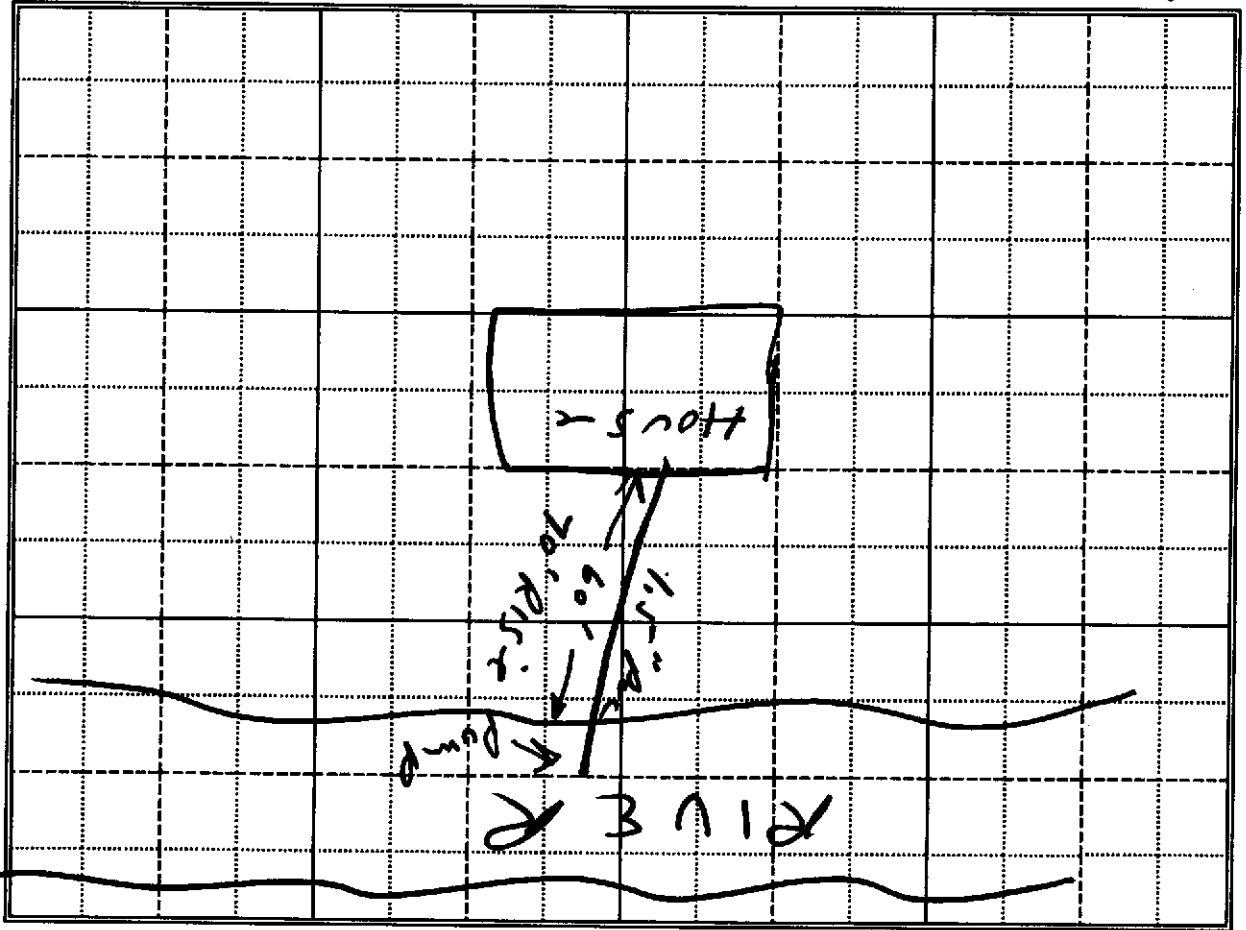
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	75	280107495	Sob	1.5"

4.

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

Scale: 1" = 400'



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

E. NARRATIVE/REMARKS/COMMENTS

Notice Susan Cross name only on front of form. Colin J Cross is deceased.

ATTN: Shelly, There is only one home on this system that is why there is only one on diagram. Dad Domestic does not exist. Sorry if I was vague.

W B

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

MICROFILMED
OCT 17 2001

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached
 5 gal bucket. Spent 30 sec
 10 gpm x 1.33681 = 13.3681
 6.2

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:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

Period of Use
 From 01-01
 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
 Change P.U. as reflected above
 Add P.U. as reflected above
 None
 Other

I. AUTHENTICATION

Field Examiner's Name *Wayne Roberts* Date 10-12-00
 Reviewer _____ Date _____

SEAL

MICROFILMED
 2008 7 1 2008



Well
2265

SPOKANE WASH 22 MI
GREENACRES WASH 8 MI

42°30'

283

Borrow Pit

NOT REPRODUCED
NOT 12 2000

285

2579 ft NE
(LIBERTY LAKE)

18°

CARPENTER

17

2500

SKI LODGE

3000

2450

8

2400

2300

2200

2100

2000

1900

1800

1700

1600

1500

1400

1300

1200

1100

1000

900

800

700

600

500

400

300

200

100

0

-100

-200

-300

-400

-500

-600

-700

-800

-900

-1000

-1100

-1200

-1300

-1400

-1500

-1600

-1700

-1800

-1900

-2000

-2100

-2200

-2300

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-2500

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-11200

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-14700

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-15400

-15500

-15600

-15700

-15800

-15900

-16000

-16100

-16200

-16300

-16400

-16500

-16600

-16700

-16800

-16900

-17000

-17100

-17200

-17300

-17400

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-17700

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-17900

-18000

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-20100

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-21400

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-22200

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-22400

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-30400

-30500



pu



pu

95-05916

MICROFILMED
OCT 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 5, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SUSAN CROSS
395 THERESA TERRACE DR
POST FALLS, ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08916

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d'Alene at (208) 769-1450.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 31 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 95-08916 Reviewed by WJA Date 1-05-00

GENERAL CONSIDERATIONS

yes Name same as permit?

yes Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Dom - 2

Correct Uses? yes

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit

 Well log in the file?

 Correct?

LICENSE EXAMINATION FEE

yes Required?

50 Amount Submitted

yes Correct?

MEASURING DEVICE

NO Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

 -
 =
 +

DEFICIENCIES OR ACTION ITEMS

ack proof

DATA ENTRY

New Address

Proof Made 8-05-99

June 30, 1999

SUSAN CROSS
COLIN J CROSS
395 THERESA TERRACE DR
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08916

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 September 1, 1999.

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

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

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

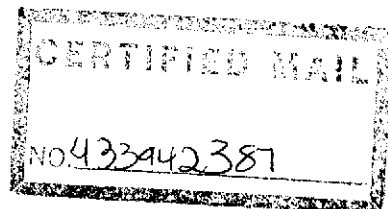
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 31 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 17, 1995

SUSAN CROSS
COLIN J CROSS
395 THERESA TERRACE DR
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08916

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

RECEIVED
AUG 28 1995

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

No.: 95-8916 Name: Cross Date: 8/15/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: N9011 Priority: 6/15/95 ✓ 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: $\langle \sqrt{\text{FLO-CH}} \rangle$

+ 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 in WD):

```

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)
InWD + 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) - 007-P07 (w/remark WB9), NA
 Boise R (63) - 05A (if WB), 11E (not 42-111 use), NA
 Payette R (65) - 064(consump. use), 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 - 03A (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.	-	<u>P52</u> (stream channel alteration)
Irr Dist/Canal Co.	-	023 (Twin Falls area)
Swan Falls Flag	-	<u>B</u> <SEE CODE CHART>
Trust	-	051-052-053-P74 (Consumptive Use)
Non-Trust <1>	-	048-049 (Consumptive Uses), NA

OWNERSHIP:Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS :

RECEIVED
AUG 14 1995

DEPARTMENT OF WATER RESOURCE
APPLICATION APPLICATION ANALYSIS SHEET

8 - WRJ
- WRapps
BC

APPLICATION # 95-8916

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

Department of Water Resources CROSS

BY: BJ

DATE: 6/5/95

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 6/5/95

Y (Include Moratorium Remark)

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

CA / Shum / ok

ADVERTISE IN: KOOTENAI County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
() Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: N/A

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

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks: _____

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

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

- ____ Notice of pending void order issued. Final order response date: ____/____/____
____ Further information required from applicant
7/14 7/17 Affidavit of publication received
7/17 Application published correctly, If not, record action taken: _____

- 6/28 Publication dates and paper recorded on application | Sr. Agent initial BJ
____ Protests received. Final protest date: 7/24/95
____ Measuring device required
____ Measuring port required
____ Special conditions: _____
____ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: BJ RENA Date: 8/3/95

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

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 *6th* day of *July*, 19*95*, and ending on the *13th* 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 *13th* day of *July*, 19*95*.

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

RECEIVED

JUL 14 1995

NORTHERN REGION
IDWR

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:

94-07361
BREAZEAL, VERN
BREAZEAL, NIKI
1038 WARNER AVENUE
LEWISTON, ID 83501
Source: BLACK LAKE
Tributary: COEUR D'ALENE LAKE
Diversion Pt: LOT 1 (NENE) Sec 12 T
47N R 03W in KOOTENAI County.
Use: DOMESTIC (0.040 CFS)
FIRE PROTECTION (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 5/31/1995
In: KOOTENAI County
T47N R03W S12 Lot 1 (NENE)

95-08916

CROSS, COLIN J
CROSS, SUSAN
395 THERESA TERRACE DRIVE
POST FALLS, ID 83854
Source: SPOKANE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3 (NWNE) Sec 10 T
50N R 05W in KOOTENAI County.
Use: DOMESTIC (0.060 CFS)
Total Diversion: (0.060 CFS)

Date Filed: 6/5/1995
In: KOOTENAI County
T50N R05W S10 Lot 3 (NWNE)

95-08917

SCHAPER, THOMAS C
12540 CHICKEN POINT RD
HAYDEN LAKE, ID 83835
Source: GROUNDWATER
Diversion Pt: NENE Sec 10 T 51N R 03W
in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 6/7/1995
In: KOOTENAI County
T51N R03W S10 NENE

1.0 ACRES TOTAL

96-08877

RED FIR WATER ASSN
1410 LINCOLN WAY
COEUR D'ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: SWSW Sec 12 T 53N R 03W
in KOOTENAI County.
Use: IRRIGATION (0.880 CFS)
DOMESTIC (0.250 CFS)
Total Diversion: (1.000 CFS)

Date Filed: 6/21/1995
In: KOOTENAI County
T53N R03W S11 NE-1/4 NESE SESE

S12 SWNW SW-1/4

S13 SWNW

S14 NENE

44.0 ACRES TOTAL

96-08880

HAYES FAMILY TRUST, ROBERT
HAYES FAMILY TRUST, JOAN
E 11700 NUNN ROAD
ATHOL, ID 83801
Source: SAGE CREEK
Diversion Pt: NENW Sec 31 T 53N R 02W
in KOOTENAI County.
Use: IRRIGATION (0.400 CFS)
Total Diversion: (0.400 CFS)

Date Filed: 6/26/1995
In: KOOTENAI County
T53N R02W S31 NENW Lot 1

(NWNW) Lot 2 (SWNW) SENW

20.0 ACRES TOTAL

96-08881

HAYES FAMILY TRUST, JOAN
HAYES FAMILY TRUST, ROBERT
ATHOL, ID 83801
Source: GROUNDWATER
Diversion Pt: SENW Sec 31 T 53N R 02W
in KOOTENAI County.
Use: IRRIGATION (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 6/26/1995
In: KOOTENAI County
T53N R02W S31 Lot 2 (SWNW)

SENW

2.0 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 JULY 24, 1995.

KARL J. DREHER, Director

Legal 125
July 6, 13, 1995

RECEIVED
AUG 28 1995

95-08916

CROSS, COLIN J
CROSS, SUSAN
395 THERESA TERRACE DRIVE
POST FALLS, ID 83854

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 3 (NWNE) Sec 10 T 50N R 05W in KOOTENAI County.

Use: DOMESTIC	(	0.060 CFS)
Total Diversion:	(	0.060 CFS)

Date Filed: 6/ 5/1995

In: KOOTENAI County
T50N R05W S10 Lot 3 (NWNE)

FILED
AUG 28 1995

June 28, 1995

Colin J. and/or Susan Cross
395 Theresa Terrace Drive
Post Falls, ID 83854

Re: Water Appropriation Application No. 95-08916

Dear Mr. and/or Mrs. Cross:

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 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. 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. However 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.

If your application is for groundwater and you are using a well that was constructed after July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application, if no permit was obtained by you or previous owners to construct the well. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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

MAILED
AUG 28 1995