

54.3.

5.2

Sec. 10.

Sec. 11.

Sec. 15.

Sec. 14.

Sec. 13.

Sec. 12.

511

SHINGTON

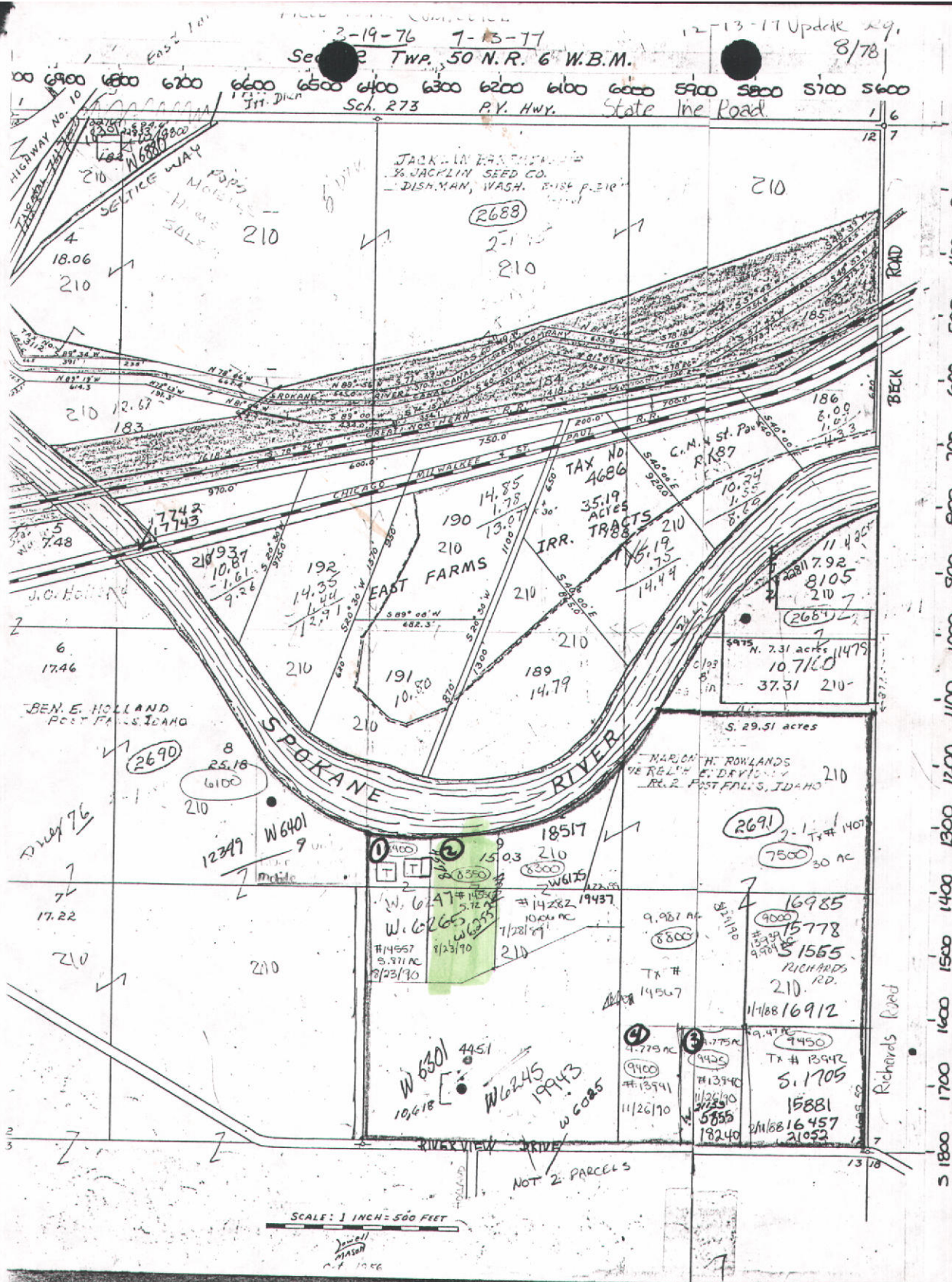
BETW. IDAHO & WASHINGTON

Previous Survey

TIMBER

MERIDIAN

MAY 31 1995



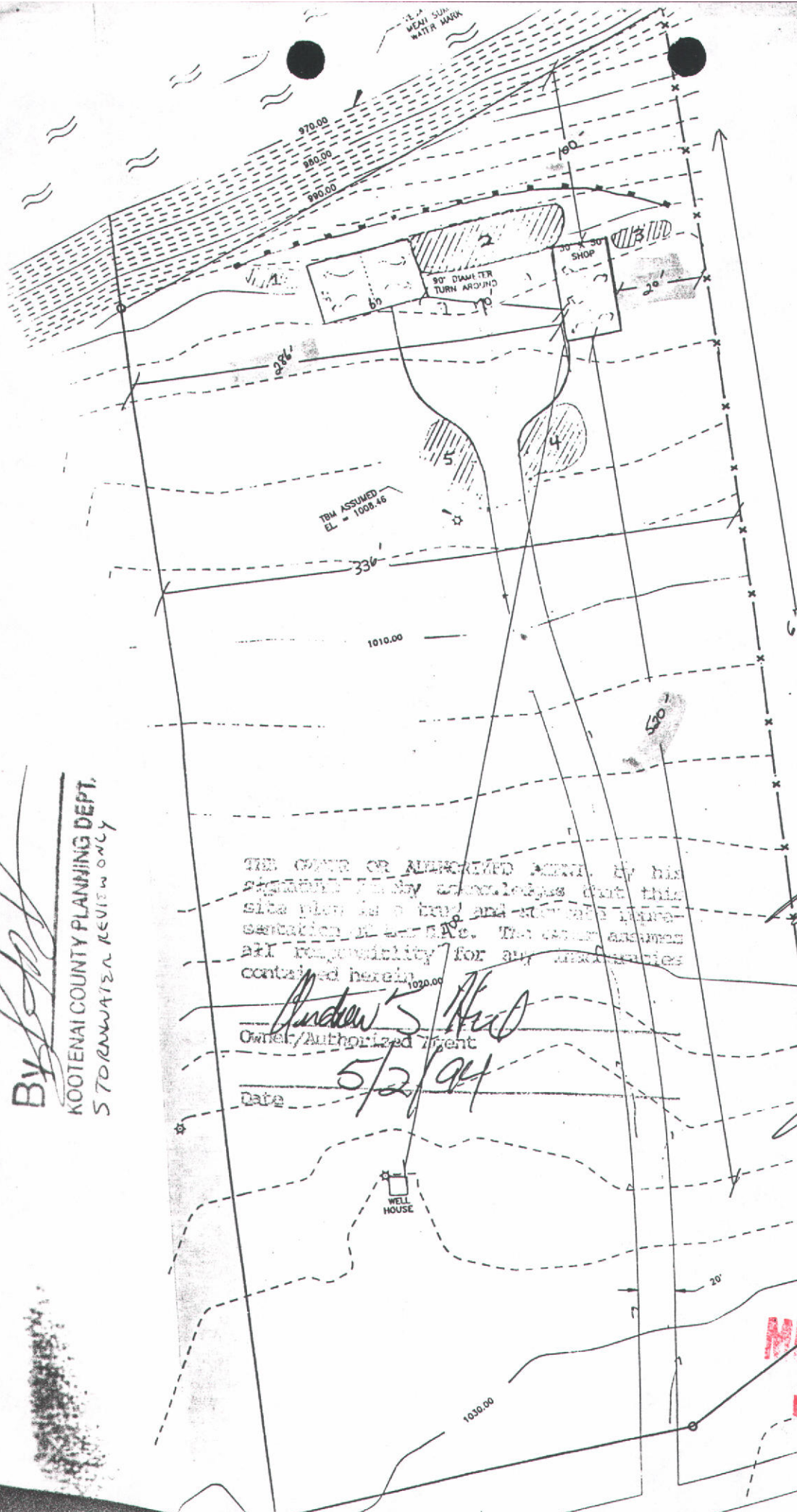
INDEXED

MAY 31 1995

#23076
APPROVED

By *[Signature]*

KOOTENAI COUNTY PLANNING DEPT.
STORMWATER REVIEW ONLY



THE OWNER OR AUTHORIZED AGENT, by his signature hereby acknowledges that this site plan is a true and accurate representation of the site. The owner assumes all responsibility for any inaccuracies contained herein.

Andrew S. [Signature]
Owner/Authorized Agent

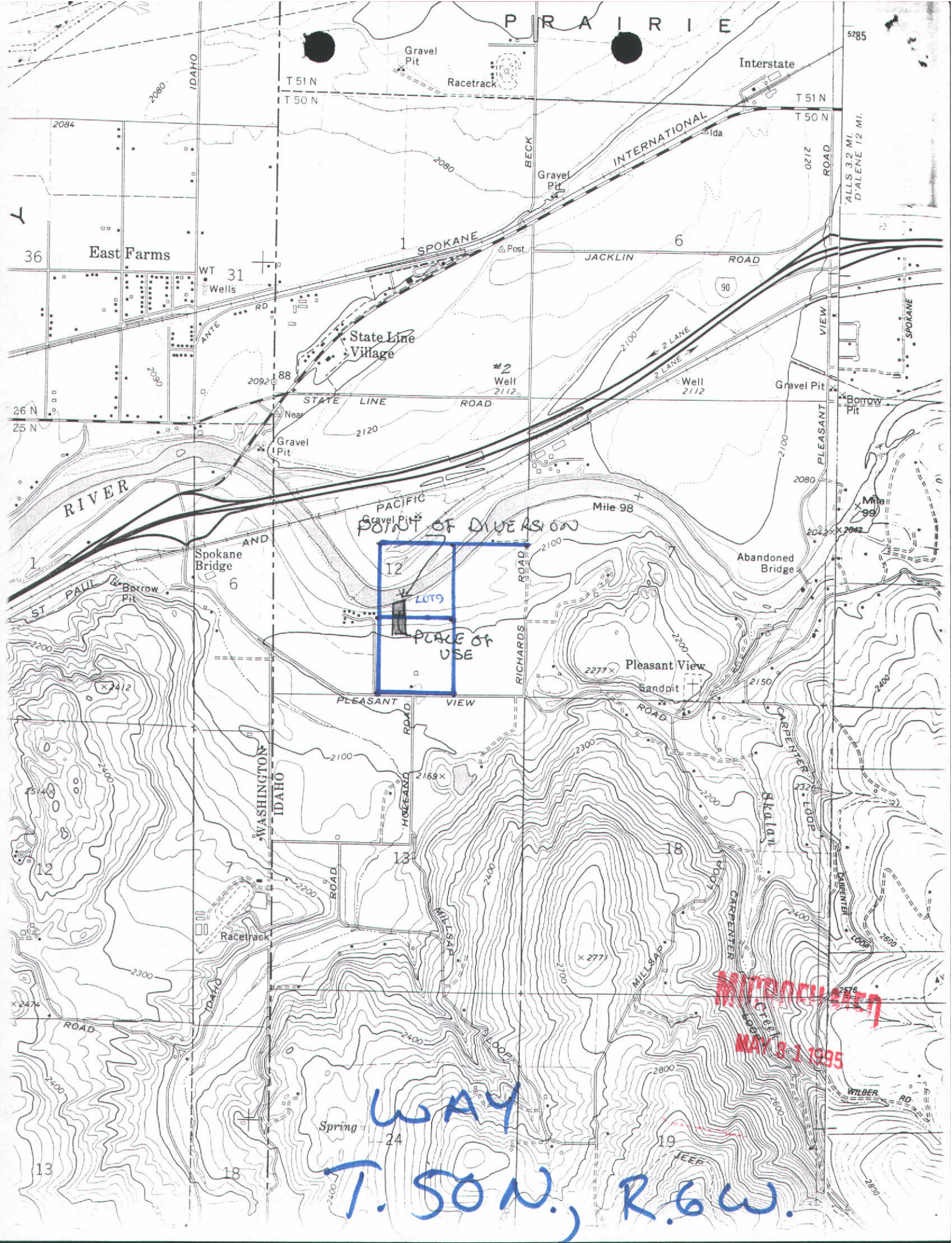
Date *5/2/94*



APPROVED

By *[Signature]*
KOOTENAI COUNTY

MICROFILMED
MAY 31 1995



PRAIRIE

5285

T 51 N
T 50 N

T 51 N
T 50 N

2080
IDAHO

Gravel Pit

Racetrack

Interstate

INTERNATIONAL

ALLS 3.2 MI.
D'ALENE 12 MI.

36

East Farms

WT 31
Wells

SPOKANE

JACKLIN

ROAD

State Line Village

#2 Well
2112

90

Gravel Pit

Borrow Pit

26 N
25 N

STATE LINE ROAD

RIVER

POINT OF DIVERSION

Mile 98

12
LOT 9
PLACE OF USE

Abandoned Bridge

Pleasant View

Sandpit

PLEASANT VIEW

RICHARDS ROAD

Spokane Bridge

ST PAUL

Borrow Pit

AND

WASHINGTON
IDAHO

PLEASANT ROAD

HOLEMAN ROAD

13

MILL SAG

ROAD

MILL SAG

ROAD

Skalan

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

LOOP

MAY 31 1995

WAY

T. SON., R. 6 W.

Spring

24

19

JEEP

13

18

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 95-08903

P H O T O G R A P H S

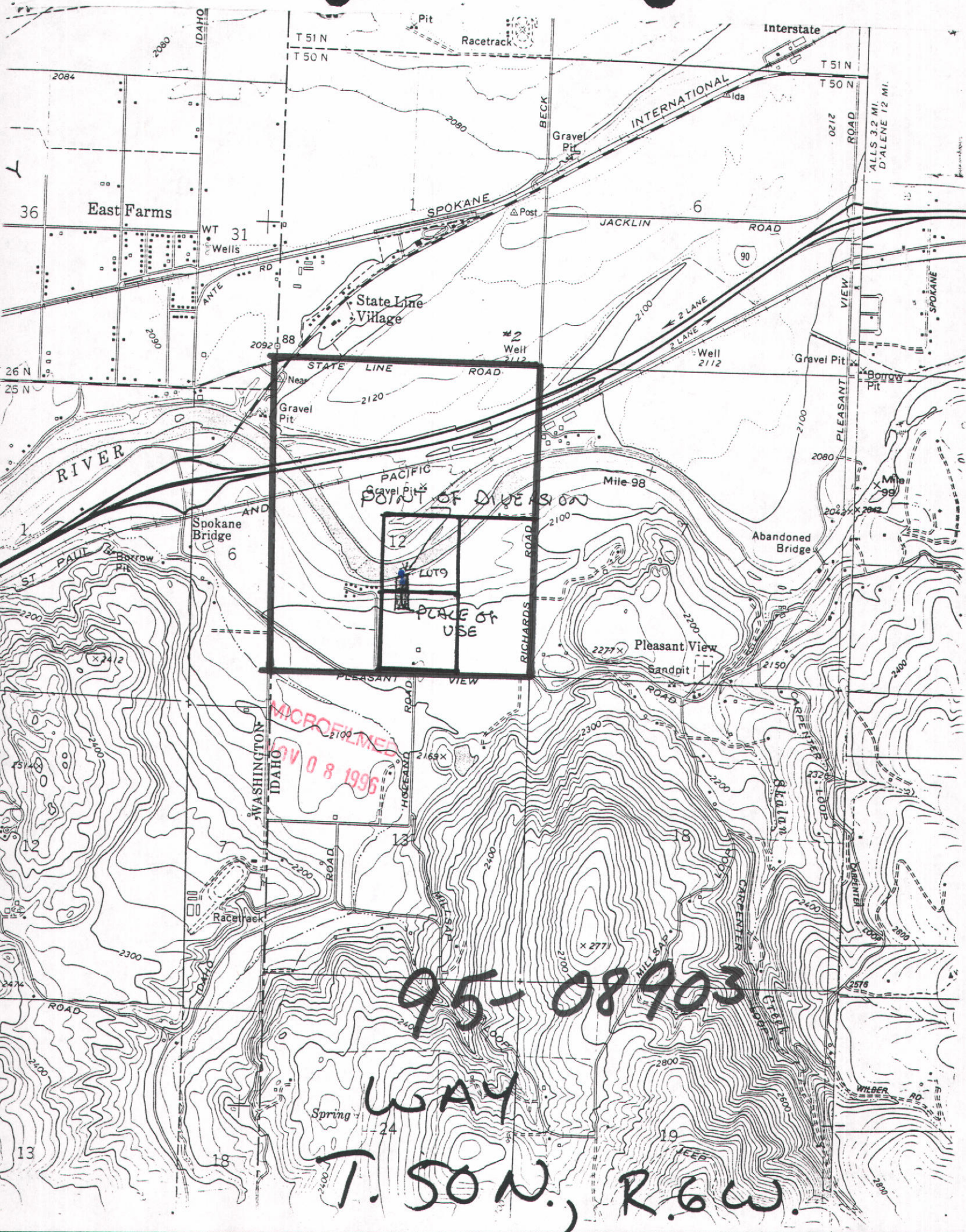


Point of
diversion



Place of use

MICROFILMED
NOV 08 1996



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08903

Priority: April 3, 1995

Maximum Diversion Rate:
Maximum Diversion Volume:

0.15 CFS
15.0 AF

This is to certify, that KENNETH L WAY
6255 W RIVERVIEW DR
POST FALLS ID 83854

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated April 3, 1995; and
has submitted Proof of Beneficial Use on May 24, 1996. An examination indicates
that the works have a diversion capacity of 0.150 cfs of water from:

SPOKANE RIVER tributary to COLUMBIA RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.15 CFS	15.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 9(NWSE), Sec. 12, Township 50N, Range 06W
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>
50N	06W	12	Lot 9(NWSE) 2	SWSE 3		5

Total number of acres irrigated: 5

CONDITIONS OF APPROVAL AND REMARKS

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

MICROFILMED

NOV 08 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08903

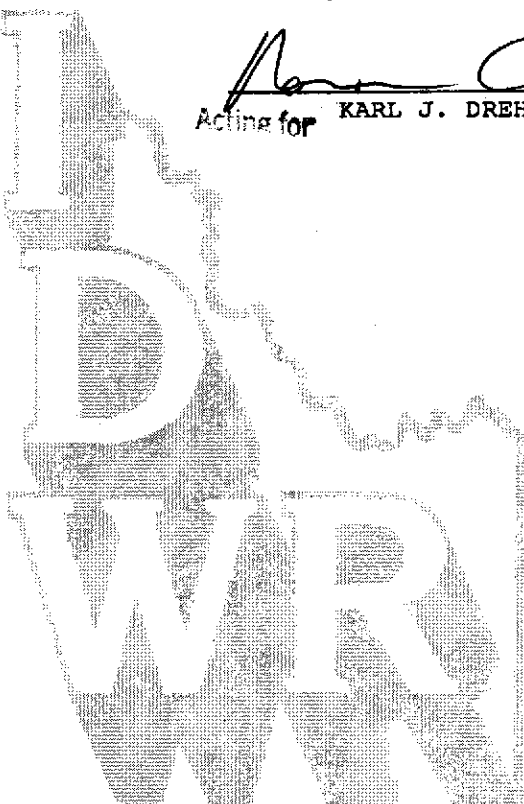
CONDITIONS OF APPROVAL AND REMARKS

6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6th day of November, 1996.

Acting for

KARL J. DREHER, Director



MICROFILMED

NOV 08 1996

RECEIVED

MAY 28 1996

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. 95-08903 Telephone No. (208) 777 8702
2. Name(s) of Permit Holder(s): KENNETH L. WAY
3. Mailing Address: 6255 W. RIVERVIEW DR. P.F. IDAHO 83854
4. Source of Water: SPOKANE RIVER GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
 - a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
 - b. OPTIONAL:
Pump Horsepower: 5 Pressure (psi): 40 Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 5 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.15 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 <u>X</u> or No _____
Has the measuring device been installed?	Yes <u>X</u> 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 (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: KENNETH L. WAY Telephone Number: 208 777 8702
Address: 6255 W. RIVERVIEW DR. P.F. 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:

Kenneth L. Way
(include your title, if on behalf of company or organization)

Date: MAY 24 95

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08903

Proposed Priority: April 3, 1995 Maximum Diversion Rate: 0.15 CFS

This is to certify, that **KENNETH L WAY**
6255 W RIVERVIEW 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>
IRRIGATION	03/15 to 11/15	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 9(NWSE), Sec. 12, Township 50N, Range 06W
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>
50N	06W	12	Lot 9(NWSE) 2.0	SWSE 3.0		5.0

Total number of acres irrigated: 5.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1996.
2. Subject to all prior water rights.
3. 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.
4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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

24th day of May, 1995

Karl J. Dreher
for Karl J. Dreher, Director
MICROFILMED

MAY 31 1995

RECEIVED
MAY 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 95 8903

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant KENNETH L. WAY Phone ²⁰⁸ 777 8702
Post office address 6255 W. RIVERVIEW DR. POST FALLS ID 83854
2. Source of water supply SPOKANE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is _____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot 9
Sec. 12 Township 50N. Range 6W B.M. KOOTENAI County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.15 for IRRIGATION purposes from MAR 15 to NOV 15 (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) 0.15 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP IN RIVER

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 _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

MAY 31 1995

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? #1 KENNETH C. WAT
b. Who owns the land to be irrigated or place of use? #1 KENNETH C. WAT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

9

[illegible]

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

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

9. Description of place of use:

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. _____

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

五

Sec 10.

Sec. 11.

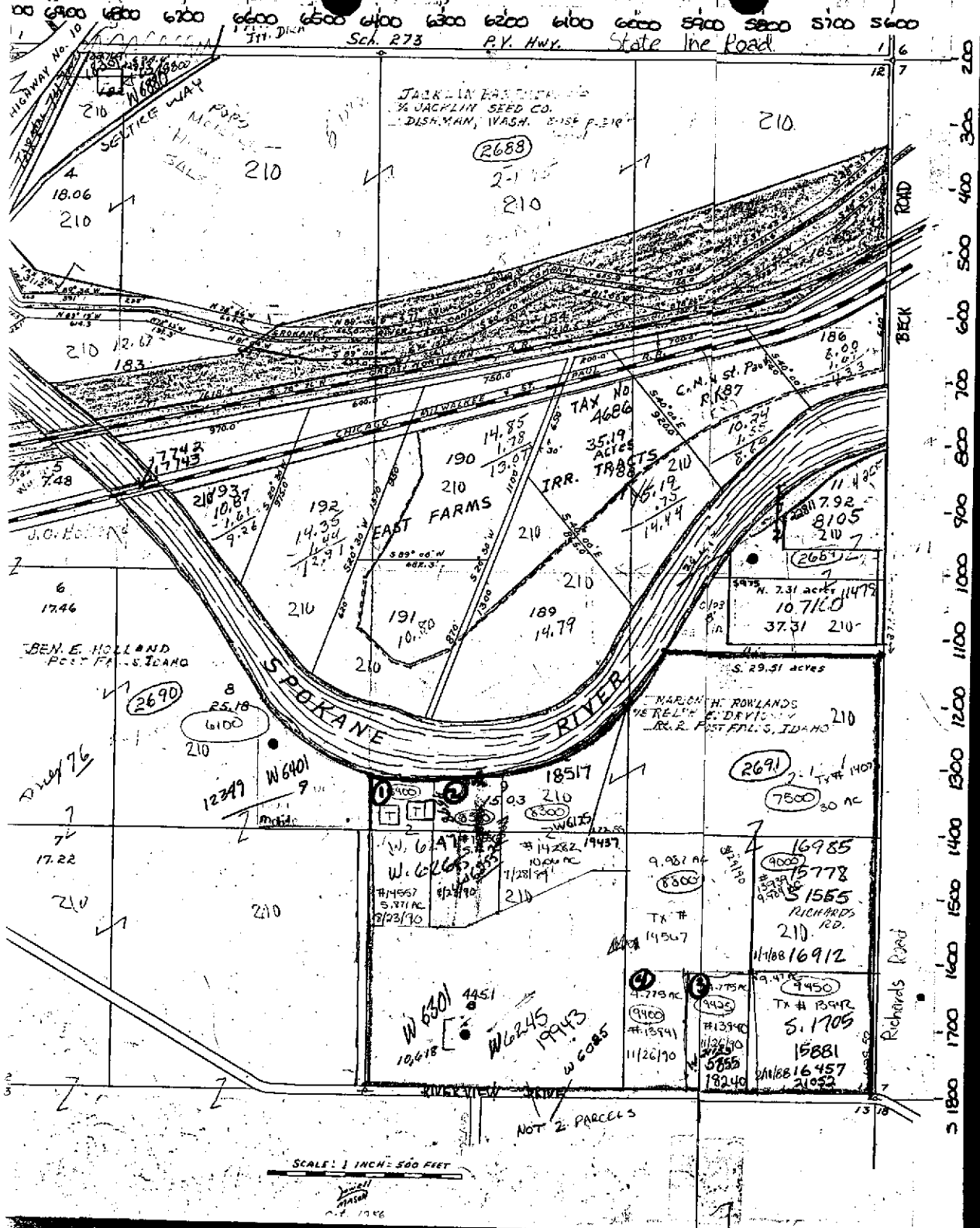
Sec 70:

Sec. 14.

MAY 31 1995

3-19-76 7-13-77
Sec 2 TWP. 50 N. R. 6 W.B.M.

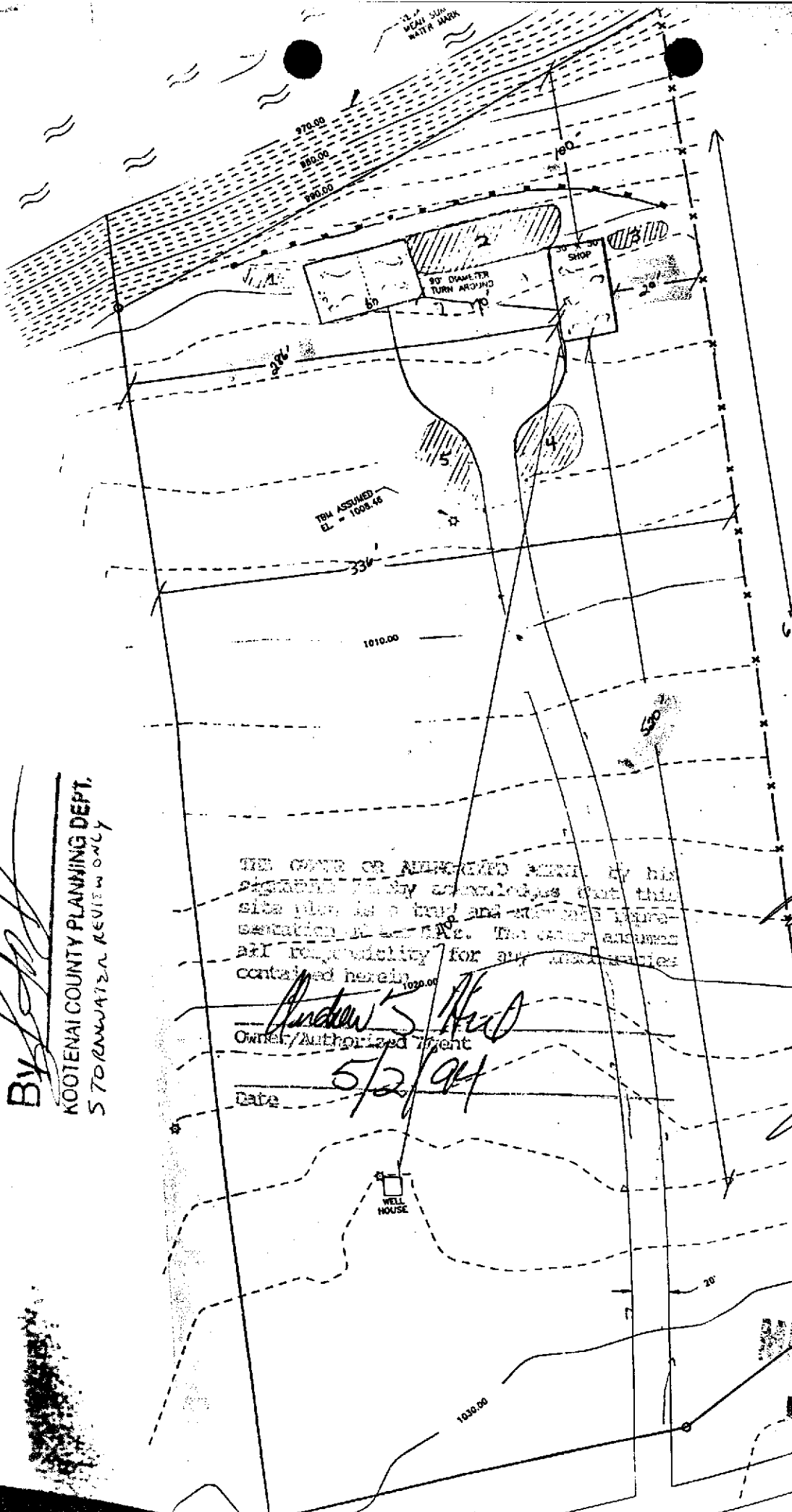
12-13-17 Update 29.
8/78



MAY 31 1995

APPROVED

By *[Signature]*
KOOTENAI COUNTY PLANNING DEPT.
STORMWATER REVIEW ONLY

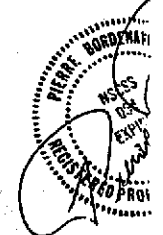


THE OWNER OR AUTHORIZED AGENT, by his signature hereby acknowledges that this site plan is a true and accurate representation of the site. The owner assumes all responsibility for any inaccuracies contained herein.

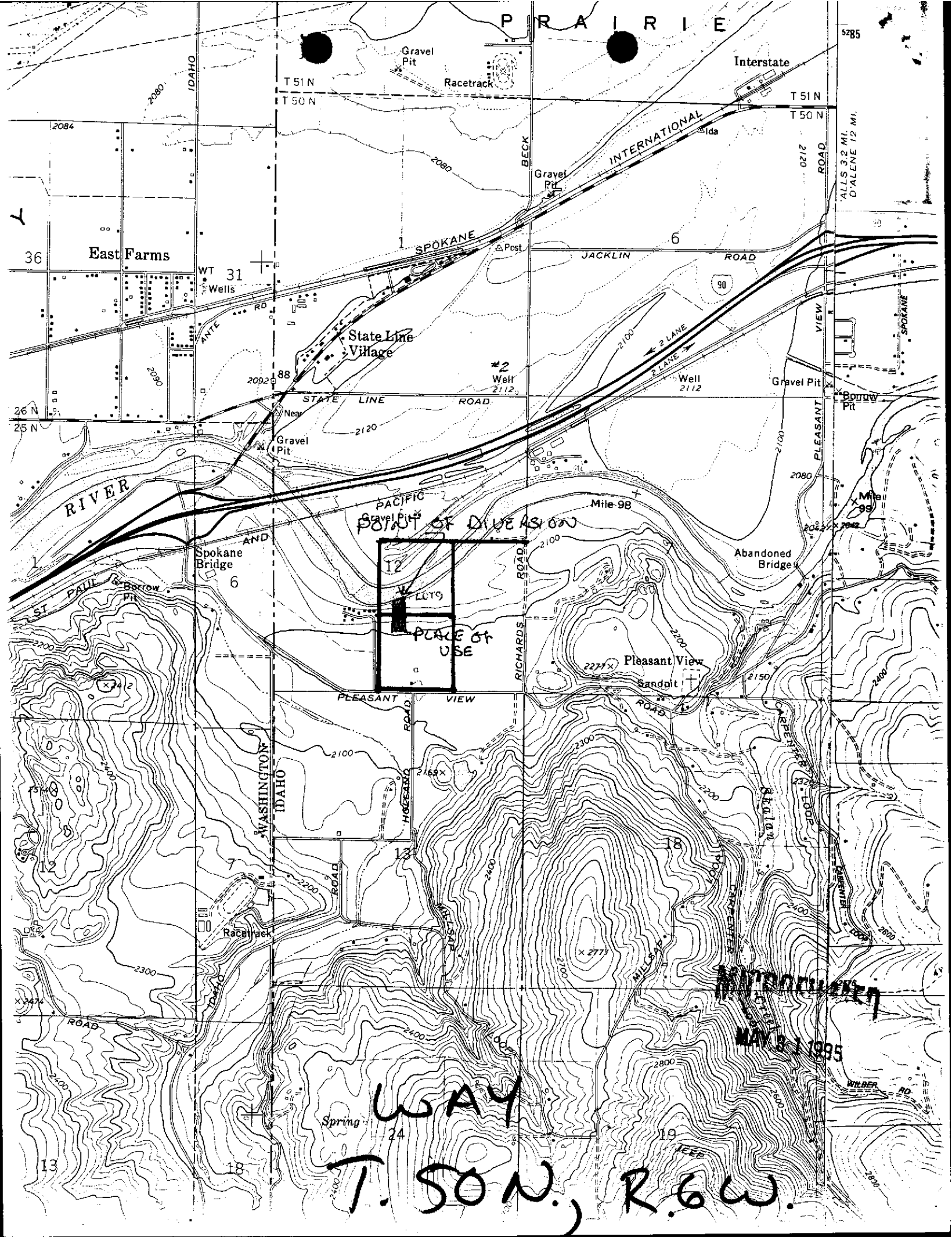
Andrew S. Reed
Owner/Authorized Agent
Date *5/2/94*

APPROVED

By *[Signature]*
KOOTENAI COUNTY



MAY 3 1995



PRAIRIE

5285

T 51 N
T 50 N

T 51 N
T 50 N

ALLS 3.2 MI.
D'ALENE 12 MI.

36

East Farms

WT 31
Wells

State Line
Village

#2
Well
2112

90

26 N
25 N

RIVER

POINT OF DIVERSION

PLACE OF USE

Mile 98

Abandoned Bridge

Pleasant View
Sandpit

WASHINGTON
IDAHO

PLEASANT VIEW

MAY 3 1995

WAY

T. SON., R. 6 W.

A large grid of graph paper. The main grid is 10 units wide and 10 units high. In the bottom right corner, there is a smaller grid that is 10 units wide and 10 units high, starting from the 8th column and 8th row of the main grid.

RECEIVED

31 1995

Kenneth L. Way
(Applicant)

RECEIVED
MAY 31 1995

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: _____

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 _____.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	AS	Date	4/3/95	Time	3:00	Preliminary check by	AS
Fee \$	50.00	Received by	AS	#	N-8752	Date	4/3/95
Publication prepared by	AS	Date	4/12/95	Published in	Idaho News 4/20+27/95		
Publication approved	AS	Date	4/28/95				



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 7, 1996

KENNETH L WAY
6255 W RIVERVIEW DR
POST FALLS ID 83854

RE: WATER RIGHT NO. 95-08903

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED

NOV 18 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 95-08903

DATE 10/28/96

REVIEWER: S H A R L A

NAME Change OK Address Change NO
 SOURCE ✓ Is change clarification of originally intended source? ✓
 If not, prepare Notice of Intent to Void
 POINT OF DIV ✓ Amendment required NO
 PLACE OF USE ✓ Amendment required NO
 Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .15 cfs
 Fee limit .20 cfs \$5000
 Measured ✓ cfs
 Theoretical .15 cfs
 8 sprinkler heads
 3" pipe @ 5fps = .25 cfs
 Recommended Total Div Rate .15 cfs

ANNUAL VOLUME/ NATURE OF USES

500 X 350 = 4.0 ac.
900 = 4.6 ac.

Use Dr. Volume Calculation
5 X 3.0 = 15.0 af
 af
 af
 af
 SUBTOTAL 15.0 af

Flow rate .15 cfs X 245 days X 1.98 af = 72.8 af
 Total volume recommended 15.0 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS Watermaster Control WD#

GW Measurement/Measuring Device

R49 Overlap

 Use-specific conditions AM

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A

Adjustment Memo Volume

1st Amend Letter N/A

2nd Amend Letter

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 19 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-08903

1. Owner: Kenneth L. Way Phone No. (208) 777-8702

Current Address: 6255 W. Riverview Dr. Post Falls Id. 83854

2. Accompanied by: Ken Way EXAM DATE: 8-29-96

Address: Same 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: 95-02078 95-07017

2. Other water rights with the same point of diversion: 95-02078

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
	9		NW	SE	12	50N	6W	Kootenai	U.S.G.S. Topo, Metcalf post. lot maps

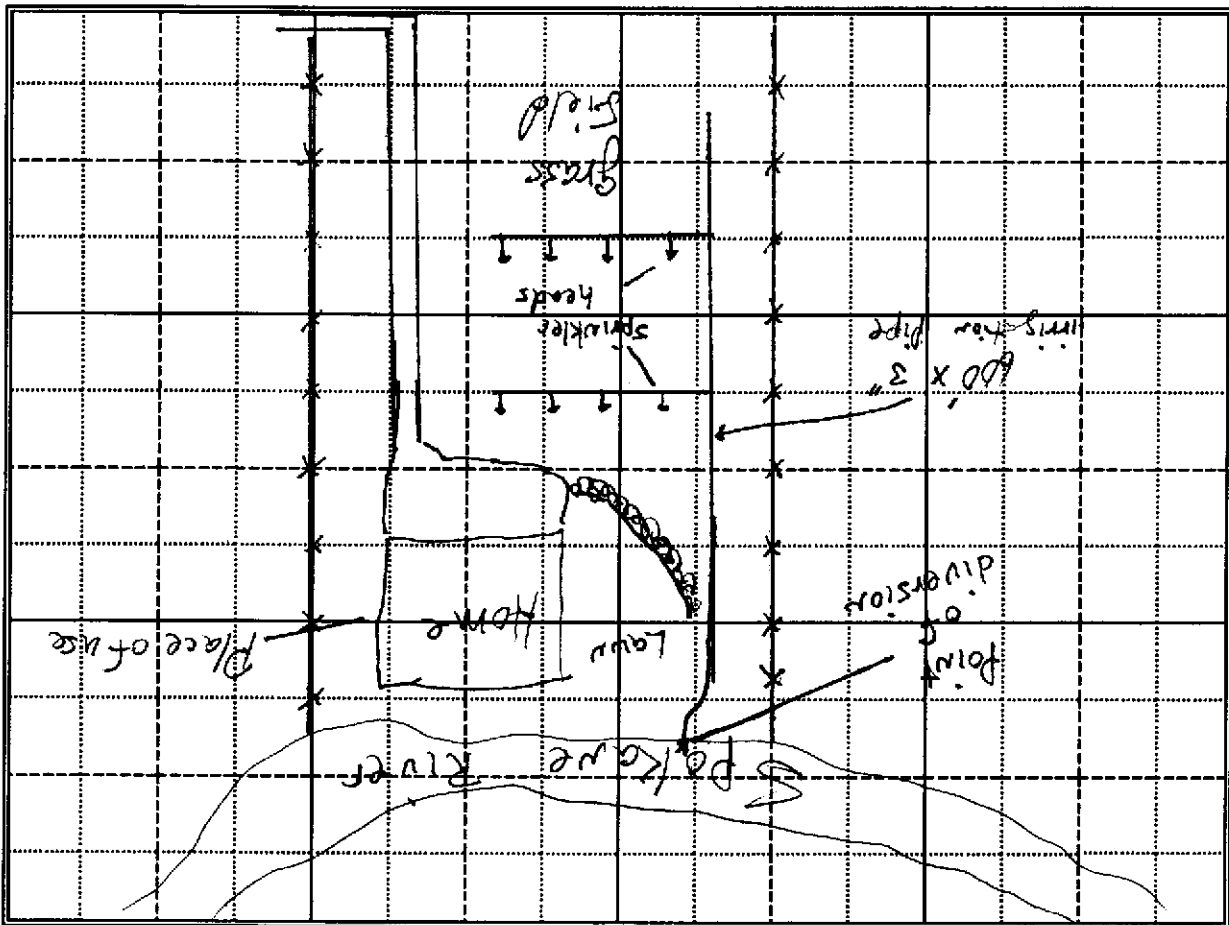
2. Place(s) of Use:

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	6W	12														Irr. 2 ac	Irr. 3 ac	5	

RECEIVED
NOV 9 1996

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



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

4.

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Raw Flow	5	2095		

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

D. FLOW MEASUREMENTS

1.

2. Measurements:

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

NOV 8 8 1960
MICHOI (MEL)

E. NARRATIVE/REMARKS/COMMENTS

Water is being diverted from Spokane River by means
of a 5 h.p. pump, is distributed to 5 acre lot through
600 ft. of 3 inch irrigation pipe.

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

MICROFILMED
NOV 08 1996

F. FLOW CALCULATIONS

Measured Method:

See Theoretical calculation

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 3.5 = 17.5$$

$$V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .15 \times 245 \times 1.9835 = 72.89$$

$$V = \text{Smaller of } V_{ir} \text{ and } V_{dr} = 17.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Irrigation

From
3-15

To
11-15

Rate of Diversion
Q (cfs)

.15

Annual Volume
V (ata)

17.5

2. Recommended Amendments

Change P.D. as reflected above
Change P.U. as reflected above

Add P.D. as reflected above
Add P.U. as reflected above
None
Other

I. AUTHENTICATION

Field Examiner's Name

D. Regal

Date

8-29-96

Reviewer

Date

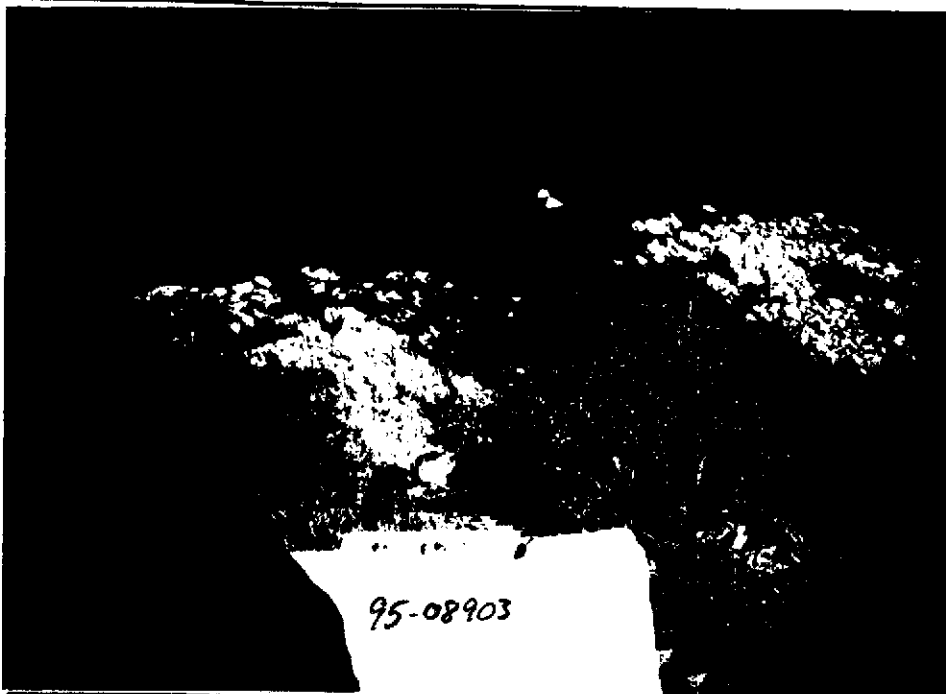
SEAL

NOT A SEAL
MICROFILMED

PERMIT # 95-08903

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S

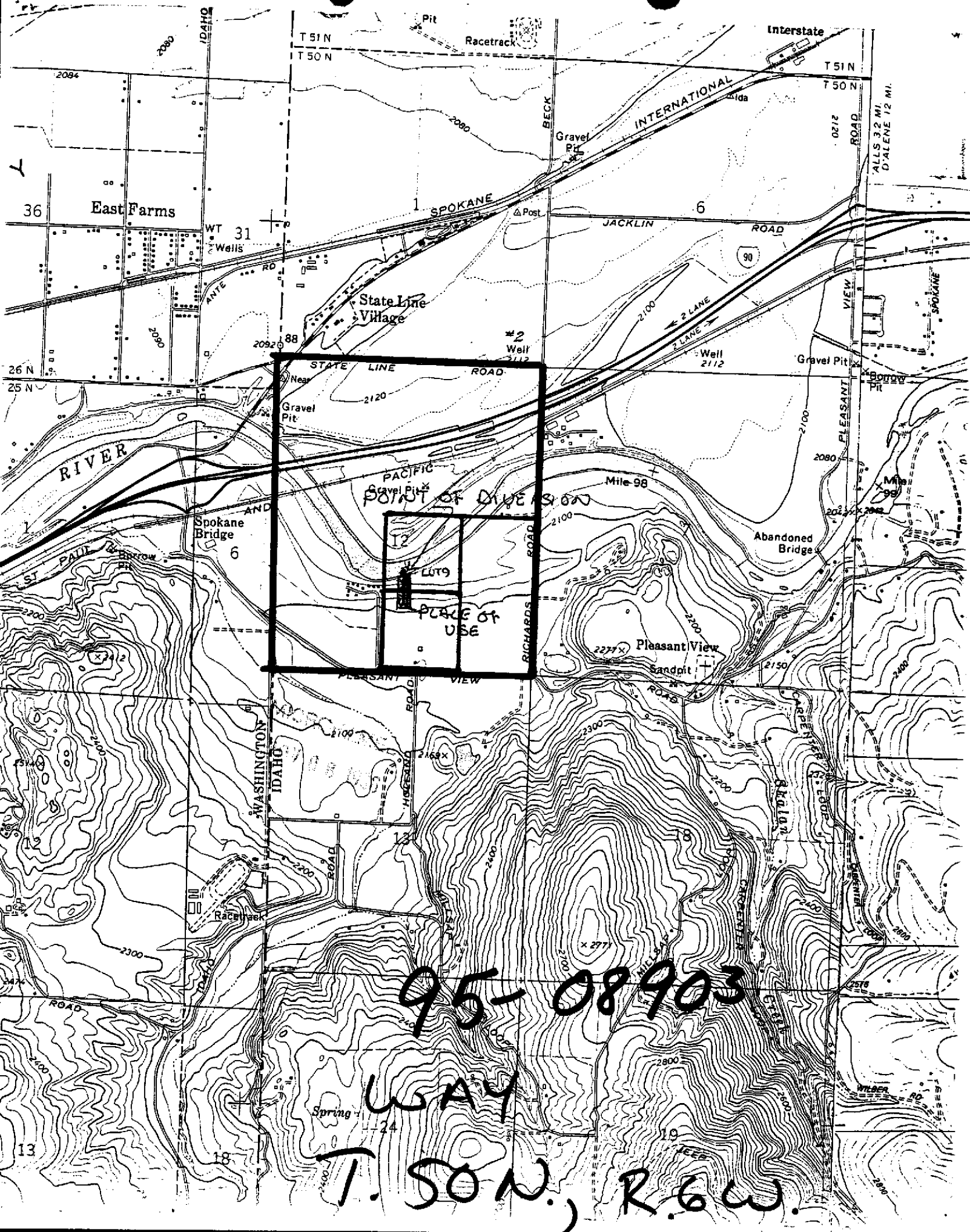


Point of
diversion



Place of use

RECEIVED
NOV 7 8 1995



THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: KENNETH L. WAY 95-08903

DATE: 29-AUG-96

COMPLETE BY: PAGEL

HORSEPOWER = 5

PUMP EFFICIENCY = 70%

DYNAMIC LIFT = 110 FEET

SYSTEM PRESSURE = 40 PSI

QUANTITY = 0.15 CFS

MICROFILMED
1995 SEP 15

TELEPHONE CONVERSATION MEMORANDUM

Permit No. 95-08903 Name of Contact Ken Way

Employee _____

Date set for examination: 8-29-96Time 11:00 a.m.

Where _____

Are all the uses on the permit developed? _____

Are there existing water rights used for the same purpose? _____

How many points of diversion are used? _____

If multiple uses are listed, are all supplied by one system? _____ If not, note specifics, i.e. HP, estimated flow, irrigated acres, # of livestock, kind) _____

What is the estimated flow at each point of diversion? _____

* Acres irrigated by each P/D? 5Size of Motor used for each P/D? 5 hpRaw Flow Model # 12 WS-2
Serial # 2095Estimate of depth to water? 30How many laterals are used? 2Length and size of mainline? 3" 600' (350' now)

Pressure at well? _____

Pressure at sprinkler head? _____

Have conditions of approval been complied with? _____

NOTED
8/30/96
DA 1015

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 95-08903 Reviewed by [Signature] Date 6-13-96

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required? no Required?
50- Amount Submitted _____ Installed?
yes Correct? _____ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	- = +	_____
Date proof due	_____		_____
No. of days late	_____		_____
Priority Date	_____		_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____ Proof Made 5-24-96

June 18, 1996

KENNETH L WAY
6255 W RIVERVIEW DR
POST FALLS ID 83854

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08903

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

AUG 22 1996

March 31, 1996

KENNETH L WAY
6255 W RIVERVIEW DR
POST FALLS ID 83854

PROOF DUE NOTICE

RE: PERMIT NO. 95-08903

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 June 1, 1996.

(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.

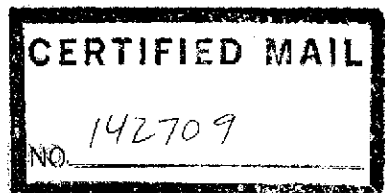
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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





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

May 25, 1995

KENNETH L WAY
6255 W RIVERVIEW DR
POST FALLS ID 83854

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08903

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.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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

Enclosures

MAY 31 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 95-8903 Name: Way Date: 5/22/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: 305796 Priority: 4/3/95 / Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
PROTESTED: - 020(Prehearing agreement) or W19(See 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. (POU cmp) - 01M, 803(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):
Water District(~~dem~~) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 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 - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 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. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION 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:

BENEFICIAL USE DUE: 6-1-1996

COMMENTS:

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS

RECEIVED
MAY 19 1995

APPLICATION # 95-8903

Department of Water Resources

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

APPLICANT: WJAY BY: JS DATE: 4/3/95

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

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

PROCESSING

Yes No

PRIORITY DATE: 4/3/95

(Include Moratorium Remark)

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

CA Shurs 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: _____

- + 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 _____

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

(Yes) (No)

Notice of pending void order issued. Final order response date: ____/____/____

Further information required from applicant

4/28/95 Affidavit of publication received

4/28/95 Application published correctly, If not, record action taken: _____

4/12/95 Publication dates and paper recorded on application | Sr. Agent initial JS

+ Protests received. Final protest date: 5/8/95

+ Measuring device required

+ Measuring port required

+ Special conditions: _____

+ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: BRA

Date: 5/12/95

AFFIDAVIT OF PUBLICATION

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

Kelli 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 *April*, 19*95*, and ending on the *27th* day of *April*, 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.

Kelli Alexander

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

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

RECEIVED

APR 28 1995

ROBERTA MANLEY
commission expires *2-5-99*

NOTARY PUBLIC
IDWR

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08901
SANDERS ROCKFORD BAY DEVELOPMENT

2725 E 11TH AVE
SPOKANE, WA 99202
Source: GROUNDWATER
Diversion Pt: LOT 1 (SENW) Sec 17 T 48N R 04W in KOOTENAI County.
Use: DOMESTIC (0.230 CFS)
Total Diversion: (0.230 CFS)

Date Filed: 3/28/1995
In: KOOTENAI County
T48N R04W S17 NWNE SWNE Lot 1 (NENW) Lot 1 (SENW)
95-08902

RICHARDS, BILL
1000 W. GARDEN
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: NENE Sec 6 T 48N R 04W in KOOTENAI County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 4/3/1995
In: KOOTENAI County
T48N R04W S06 NENE
95-08903 OK

WAY, KENNETH L
6255 W. RIVERVIEW DRIVE
POST FALLS, ID 83854
Source: SPOKANE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 9 (NWSE) Sec 12 T 50N R 06W in KOOTENAI County.
Use: IRRIGATION (0.150 CFS)
Total Diversion: (0.150 CFS)
Date Filed: 4/3/1995
In: KOOTENAI County
T50N R06W S12 Lot 9 (NWSE) SWSE
5.0 ACRES TOTAL

95-08904
FELBER, ROBERT S. JR
BOX 13
FAIRFIELD, WA 99012
Source: LAKE COEUR D ALENE
Tributary: SPOKANE RIVER
Diversion Pt: SESW Sec 23 T 48N R 04W in KOOTENAI County.
Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 4/11/1995
In: KOOTENAI County
T49N R04W S23 SESW
95-08905
DEKAY, GEORGE
YUILL THORNTON, MALCOLM
P O BOX 0990
HEALDSBURG, CA 95448
Source: GROUNDWATER
Diversion Pt: SWNWNW Sec 17 T 51N R 05W in KOOTENAI County.
Use: IRRIGATION (0.050 CFS)
DOMESTIC (0.050 CFS)
Total Diversion: (0.050 CFS)

Date Filed: 4/10/1995
In: KOOTENAI County
T51N R05W S17 NENW NWNW
4.0 ACRES TOTAL
95-08906

SIMS, DARRELL
5645 E OHIO MATCH RD.
POST FALLS, ID 83854
Source: SPOKANE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: lot 1 (NWNW) Sec 8 T 50N R 04W in KOOTENAI County.
Use: IRRIGATION (0.060 CFS)
Total Diversion: (0.060 CFS)
Date Filed: 4/11/1995
In: KOOTENAI County
T50N R04W S08 Lot 1 (NWNW)
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 MAY 8, 1995.

R. KEITH HIGGINSON, Director
Legal 710
Apr. 20, 27, 1995

RECEIVED
MAY 31 1995

April 13, 1995

Kenneth L. Way
6255 W. Riverview Drive
Post Falls, ID 83854

Re: Water Appropriation Application No. 95-08903

Dear Mr. Way:

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 unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. 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

MAY 31 1995

95-08903

WAY, KENNETH L
6255 W. RIVERVIEW DRIVE
POST FALLS, ID 83854

Source: SPOKANE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 9 (NWSE) Sec 12 T 50N R 06W in KOOTENAI County.

Use: IRRIGATION	(	0.150 CFS)
Total Diversion:	(	0.150 CFS)

Date Filed: 4/ 3/1995

In: KOOTENAI County
T50N R06W S12 Lot 9 (NWSE) SWSE

5.0 ACRES TOTAL

4/20 & 21/95

MAY 8 1995