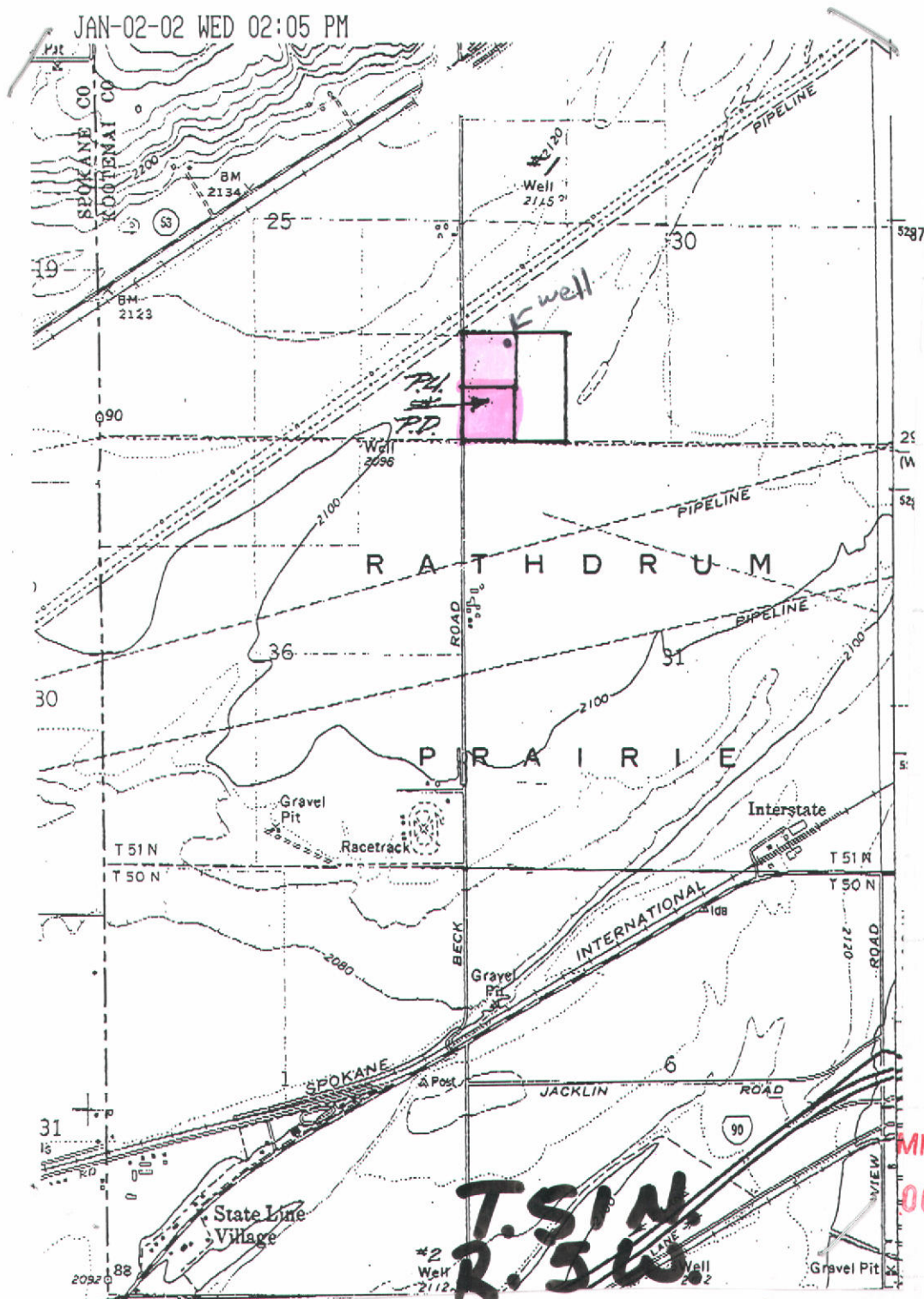
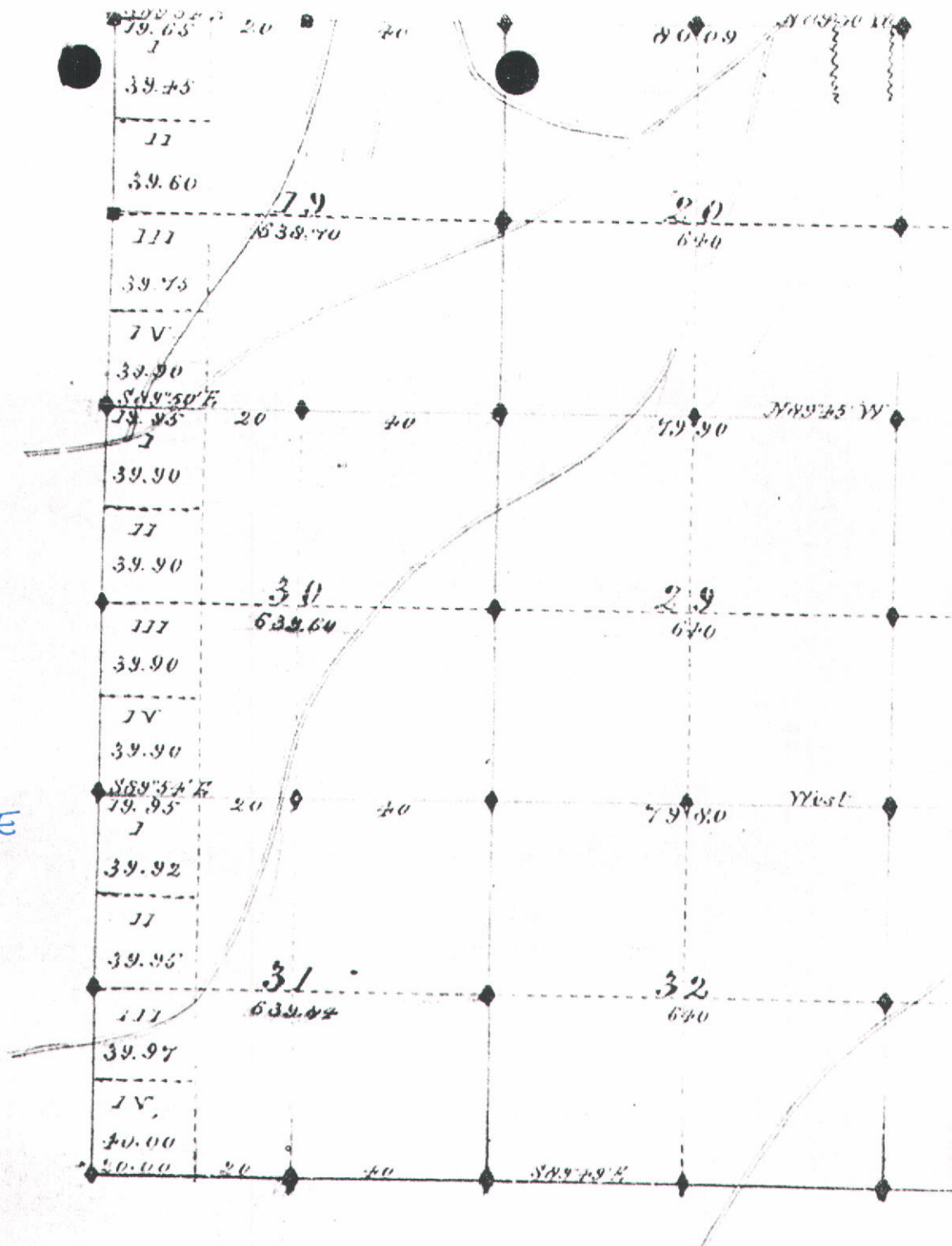


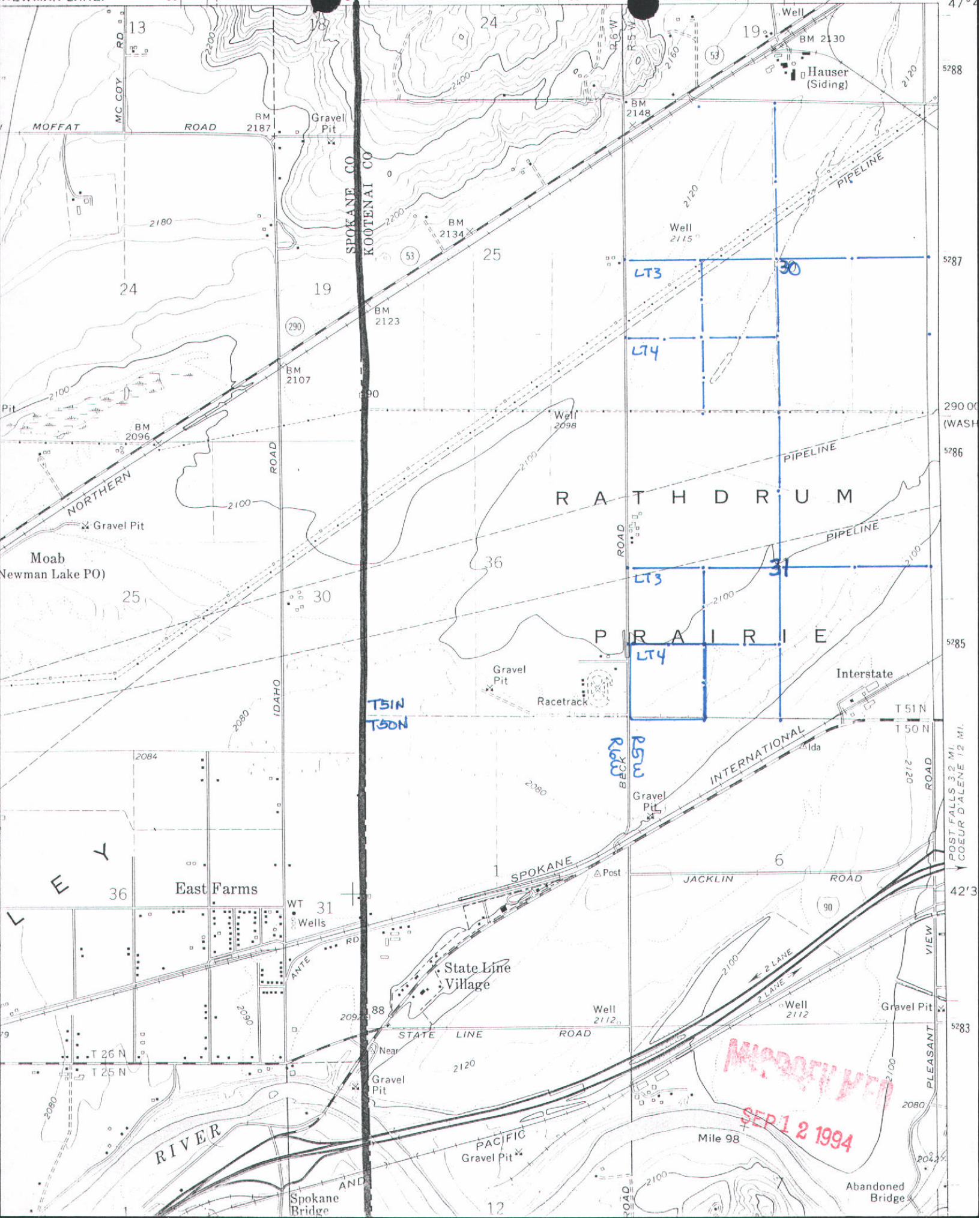
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

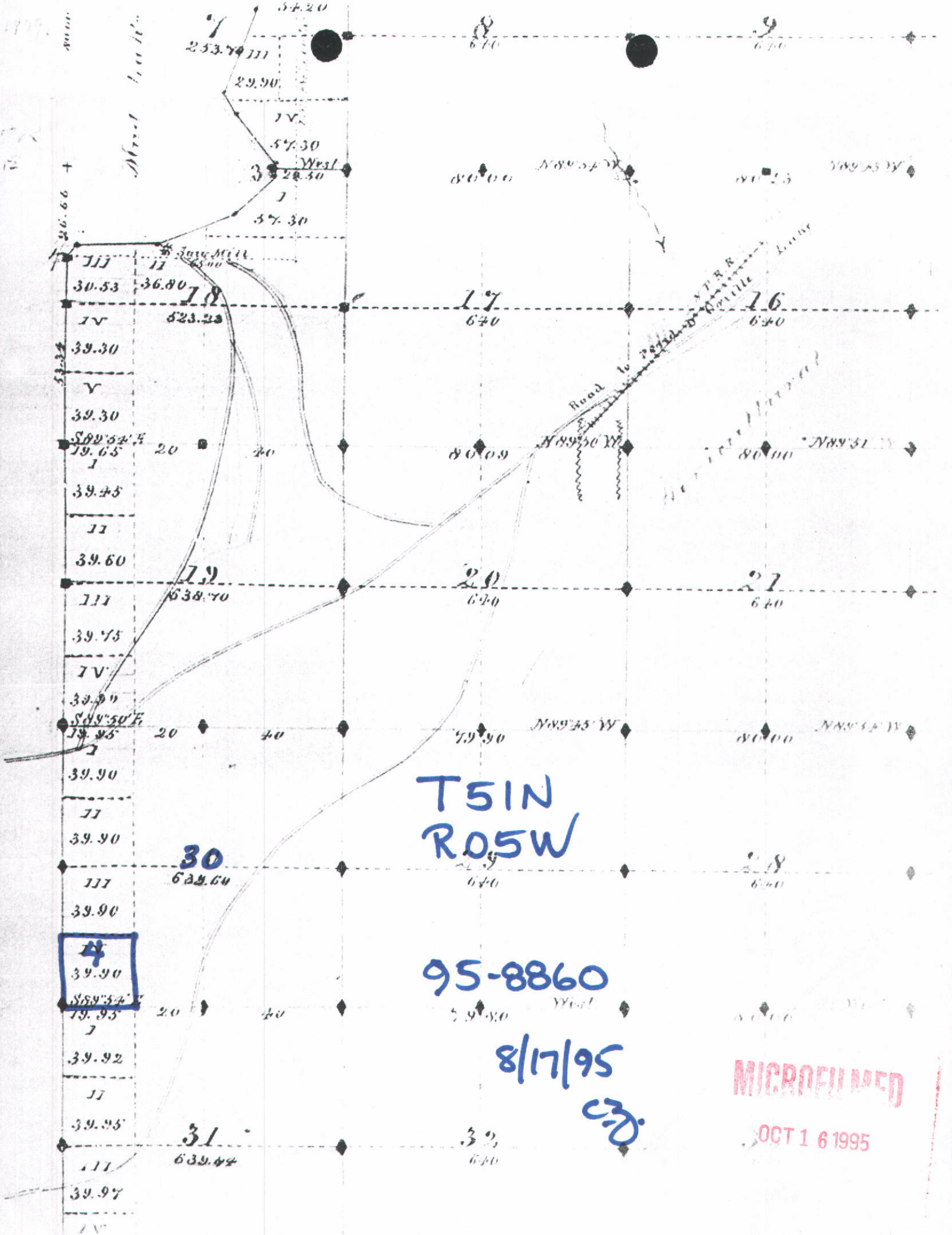
- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.





Tracts Designated	By whom Surveyed	Date of Contract	Amount of Survey	
			Miles	Chains
Shipments Lines	John B. Davis	August 9 th 1880	0.5	78
divisions	" " "	SEP 12 1894	5.0	12
landers	" " "	SEP 12 1894	2	57





T51N
R05W

95-8860

8/17/95
CJD

MICROFILMED

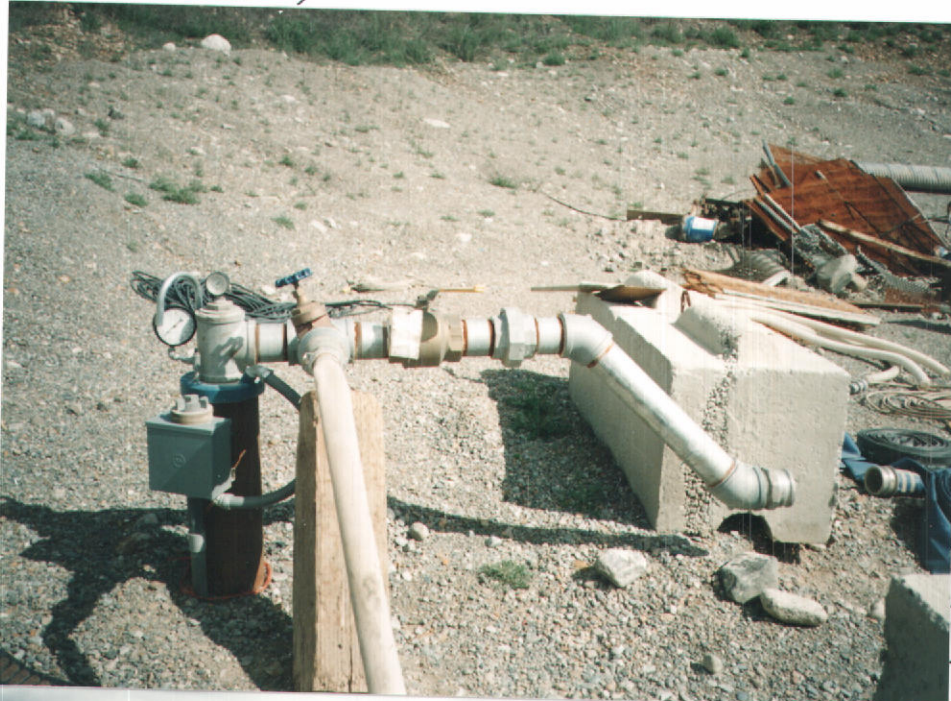
OCT 16 1995

E. NARRATIVE/REMARKS/COMMENTS

Also send a copy of the permit
to CONMAT

P.O. Box 1719

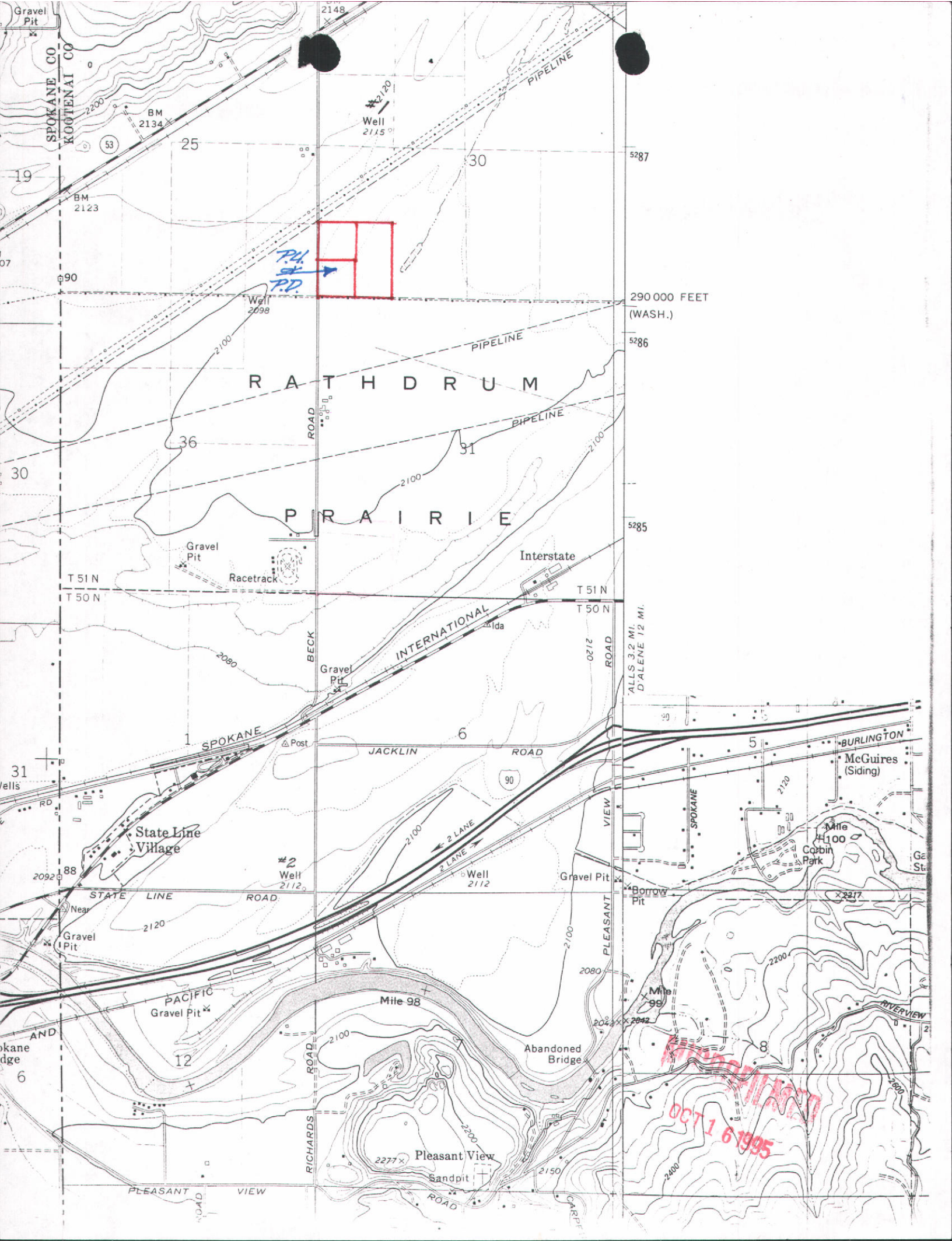
HAYDEN LAKE ID 83835



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

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OCT 16 1995



OCT 16 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69648

This is to certify that: POE ASPHALT PAVING INC
PO BOX 449
LEWISTON ID 83501-0449
(208)772-0511

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
95-8860	AJC/	03/25/1994	0.84 cfs	93.4 af			GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
95-8860	NO	NO	NO	NO	YES	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
95-8860	95-8860	0.84 cfs	93.4 af	N/A			N/A	N/A	N/A	N/A
TOTALS		0.84 cfs	93.4 af	N/A			N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of August, 2002

J. Blum-Santora
Chief, Water Allocation Bureau

MICROFILMED

OCT 17 2002

WATER RIGHT NO. 95-8860
As Modified by Transfer No. 69648

In accordance with the approval of Transfer No. 69648, Water Right No. 95-8860 is now described as follows.

Right Holder: POE ASPHALT PAVING INC
 PO BOX 449
 LEWISTON ID 83501-0449

Priority Date: 03/25/1994

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01	12/31	0.84 CFS	93.4 AF
			0.84 CFS	93.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 4 SWSW Sec. 30 Twp 51N Rge 05W KOOTENAI County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N 05W 30																	
											X						
											L 4						

CONDITIONS OF APPROVAL

1. Commercial use is for gravel washing.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 15th day of August, 2002

J. [Signature]
 Chief, Water Allocation Bureau

MICROFILMED

OCT 17 2002

69648
STATE OF IDAHOTransfer No. 69648
RECEIVED

Page _____ of _____

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT APR 24 2002

PART 1

Department of Water Resources

Name of applicant DOE ASPHALT PAVING INC. Phone (208) 772-0511
 Post Office address PO BOX 449 LEWISTON ID 835010449

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☒ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes CHANGE PERIOD OF USE FROM APRIL 1, THROUGH NOVEMBER 30, TO JANUARY 1, THROUGH DECEMBER 31.
For increased flexibility of operation.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 95-08860 Priority 3-25-94 Amount (cfs/ac-ft) .84 Nature of Use COMMERCIAL Period of Use 1/1 ~~2/1~~ to ~~10/31~~ 12/31
2. Total amount of water being transferred .84 cubic feet per second and/or 93.4 acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>4</u>		<u>SW</u>	<u>SW</u>	<u>30</u>	<u>S1N</u>	<u>SW</u>	<u>KOOTENAI</u>	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>S1N</u>	<u>SW</u>	<u>30</u>											<u>C</u>						

MICROFILMED
OCT 17 2002

Total acres _____

69648

PART 1

6. General Information:

a. Description of diversion system well, pump - same equipment as is already in place.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X no No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
This is the same property and well. Property is owned by Lee Asphalt.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____, subject to the following limitations and conditions:
And said application is hereby _____

Witness my hand this _____ day of _____

19 _____

MICROFILMED
OCT 17 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 95-8860 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other Proof of Sale 8/27/96
Correspondence.

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 03/25/94

5. Water is used for the following purpose:

amount 0.84 for COMMERCIAL purposes from 4/01 to 11/30
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.84 cubic feet per second and/or 93.40 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
4		SW	SW	30	51N	SW	KOOTENAI	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
51N	SW	30											C						

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OCT 17 2002

Total acres _____

9. Describe any other water rights used for the same purpose as described above N/A

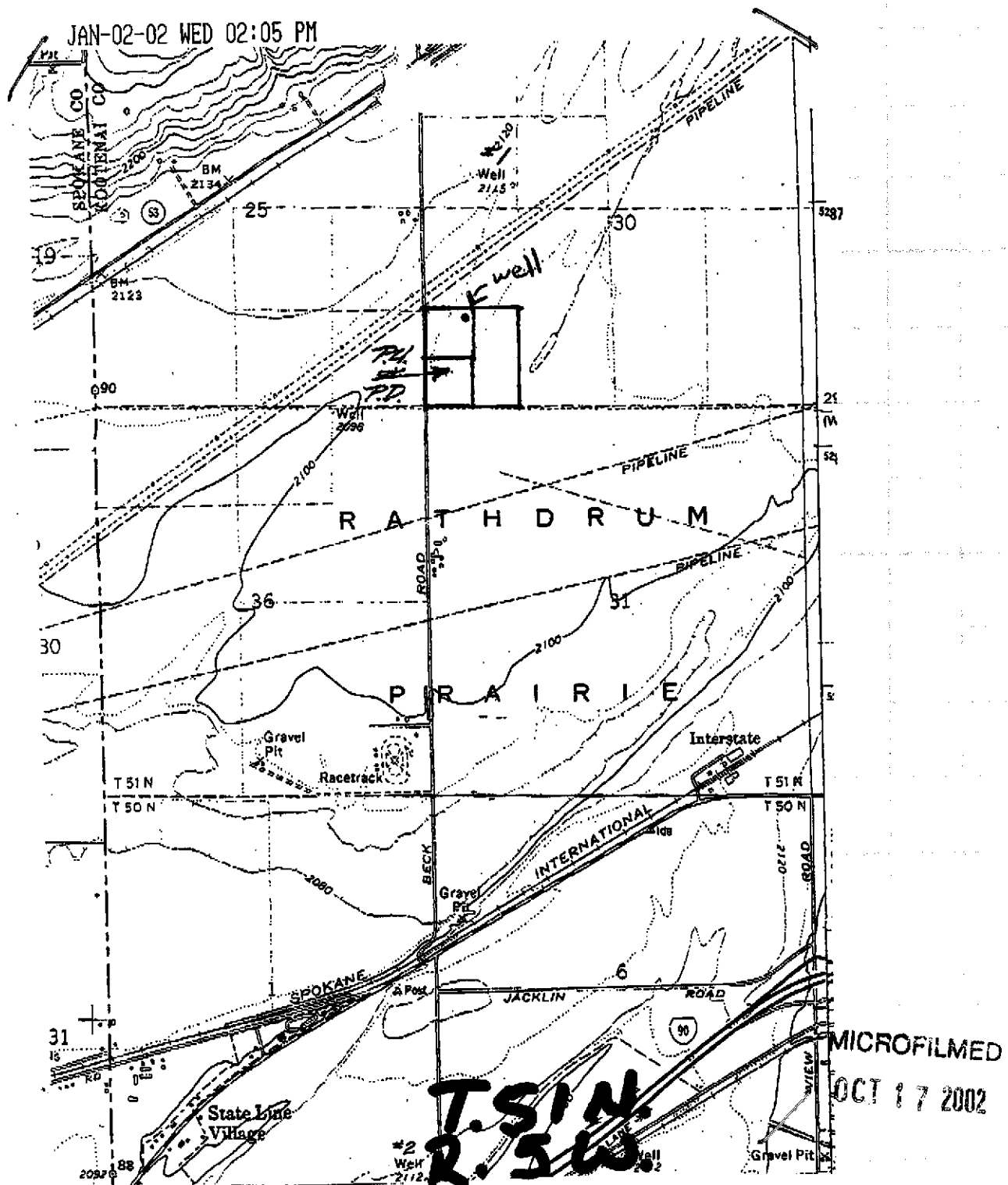
If yes, describe

(If the entire right is to be changed by the applicant, omit part B and C.)

Total acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of Use _____

Amount (cfs/ac-ft) _____

Hours/days/year _____

Period of Use _____

2. Quantity and quality of return flows and location of discharge: _____

3. Describe effects on other water uses resulting from the proposed change: _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

January

day of

(Notary Public)

My commission expires _____

1/15/03

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by _____

Prelim. check by _____

Fee _____

Date _____

Received by _____

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

rec'd. _____

by _____

Copy of transfer sent to lien holder _____

MICROFILMED

OCT 17 2002

August 27, 1996

Robert A. Bonuccelli
Village Square Realty, Inc.
2901 N. Argonne Road - Suite #5
P.O. Box 141449
Spokane, Washington 99214-1449
Phone No. (509) 924-9730

Scott H. Nichols
Idaho Department of Lands
1215 W. State - 2nd Floor
P.O. Box 83720
Boise, Idaho 83720-0050
Phone No. (208) 334-0200

Re: Bond No. U2577165 - United Pacific Insurance Co.
Reclamation Plan No. 998

Dear Mr. Nichols:

Attached is a location map, reclamation layout, and record of survey on property located in Kootenai County, Idaho, legally described as A Portion of the SW 1/4 Section 30; W2, Township 51 North, Range 5 West, B.M., consisting of approximately 130.7 acres of land zoned mining. The southerly 61.8 acres was sold to Poe Asphalt Paving, Inc., thereby leaving 68.9 acres still under the Bonuccelli family ownership.

Effective March 1, 1996, Poe Asphalt Paving, Inc. provided your office with a surety bond, Bond No. 5835117-0000 in the amount of \$16,725.00 to replace the above referenced Bond from United Pacific Insurance Co. issued in our behalf.

Please acknowledge receipt to us of Poe Asphalt Paving, Inc. surety bond on the southerly 61.8 acres, thereby releasing us of said financial liability. We request that you assign our Surety Bond No. U2577165 - United Pacific Insurance Co. to the northerly 68.9 acres.

Thank you for your assistance.

Sincerely,



Robert A. Bonuccelli

A Attachment 'A'

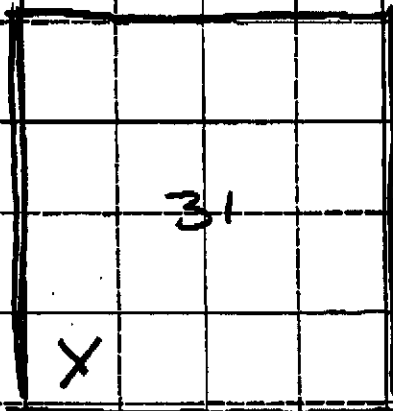
Same land as our current water right.

RP 2008

MICROFILMED
OCT 17 2002

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

Post-It® Fax Note 7671		Date 1/14/01	# of pages 1
To	Al Beardslee	From	Sunny Healey
Co./Dept.	N. Region	Co.	Vault
Phone #		Phone #	
Fax #		Fax #	



Pres. Don Poe
 V. Pres Mark Poe
 Sec. Treas. Becky Seubert
 ALL AT:
 P.O. Box 449
 LEWISTON, ID 83501
 661-1365
 772-0511

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.

OCT 17 2002

(Applicant) PRESIDENT

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08860

Priority: March 25, 1994

Maximum Diversion Rate:

0.84 CFS

Maximum Diversion Volume:

93.4 AF

This is to certify, that POE ASPHALT PAVING INC

PO BOX 449

LEWISTON ID 83501-0449

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 25, 1994; and has submitted Proof of Beneficial Use on March 16, 1995. An examination indicates that the works have a diversion capacity of 0.840 cfs of water from a GROUNDWATER 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>
COMMERCIAL	04/01 to 11/30	0.84 CFS	93.4 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 30, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

51N 05W 30 Lot 4(SWSW)

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. Commercial use is for gravel washing.

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 5TH day of OCTOBER, 1995

Microfilm

Acting for

KARL J. DREHER, Director

OCT 16 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-08860

Date of Priority: March 25, 1994 Maximum Diversion Rate: 0.84 CFS
Maximum Diversion Volume: 93.4 AF

Comes now POE ASPHALT PAVING INC
PO BOX 449
LEWISTON ID 83501-0449 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 95-08860, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	04/01 to 11/30	0.84 CFS	93.4 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 30, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: COMMERCIAL
TWN RGE SEC
51N 05W 30 Lot 4(SWSW)

MICROFILMED

OCT 16 1995

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

Signed at Clarkston, WA, this 29 day of October, 1995.

[Signature]
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-08860

FOR DEPARTMENT USE ONLY

Preliminary check by ~~SB~~ Fee = 50 Received by RT # C033656 Date 10/3/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 95-08860 with the following;

CONDITIONS OF APPROVAL AND REMARKS

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

Witness my hand this 5th day of OCTOBER, 19 95


KARL J. DREHER, Director
Acting for

RECORDED

OCT 16 1995

STATE LINE WELL

RECEIVED

MAR 16 1995

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. C032320
Receipt By: D. Ellis
Date Received: 3/16/95

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. 95-08860 Telephone No. 509-758-5561

2. Name(s) of Permit Holder(s): POE ASPHALT PAVING, INC.

3. Mailing Address: P.O. Box 449, LEWISTON, ID 83501

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. March / yr. 94

a. Well Driller: H₂O Well Service Drilling Permit Number: 95 - 94 - N - 50

Static - 124'

b. **OPTIONAL:**
Pump Horsepower: 40 Pressure (psi): 60 Dynamic pumping level (ft): 130'

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

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

Irrigation (No. of acres): _____ Other: Dust Control - Crusher & Roads

6. Total rate of diversion and/or volume for which proof is submitted: 1.0 cfs OR 4 acre feet
400 GPM at 500 TDH

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?
Has the measuring device been installed?

Yes X or No _____
Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required?
Has the measurement port been installed?

Yes _____ or No X
Yes _____ or No X

8. Fee Enclosed: \$ 100.00 (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: Richard Meehan Telephone Number: (509) 758-5561

Address: 302 15th St., Clarkston, WA 99403

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: _____ Date: 3/13/95

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

MAR 30 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08860

Proposed Priority: March 25, 1994

Maximum Diversion Rate:

1.00 CFS

This is to certify, that POE ASPHALT PAVING INC

PO BOX 449

LEWISTON ID 83501-0449

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>
COMMERCIAL	04/01 to 11/30	1.00 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u> Lot 4 (SWSW), Sec. 31, Township 51N, Range 05W KOOTENAI County		

PLACE OF USE: COMMERCIAL

TWN RGE SEC

51N 05W 31 Lot 4(SWSW)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1995.
2. Subject to all prior water rights.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. Commercial use is for gravel washing.

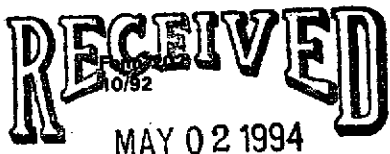
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

12th day of May, 1994.

[Signature]
for
R. Keith Higginson, Director

RECEIVED

SEP 12 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 95-8866

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant Poe Asphalt Paving, Inc. Phone 661-1365
772-0511
Post office address PO Box 4419 Lewiston, Id 83501
2. Source of water supply ground water which is a tributary of N/A
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Govt. Lot #4
Sec. 31 Township 51N Range 5W B.M. Kootenai County; additional
points of diversion if any: well head
4. Water will be used for the following purposes:
Amount 1 cfs for COMMERCIAL washing gravel purposes from April 1 to Nov 30 (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) 1 cubic feet per second and/or (b) 1.4835 acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. submersible pump to
wash plant
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 8" inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? no; Drilling firm H2O Well Service;
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).

* per government plat map 5/9/94 czg.

SEP 12 1994

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. Commercial use, washing gravel.

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 place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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

Post-it® Fax Note 7671		Date 1/14/01	# of pages 1
To Al Beardslee	From Sunny Healey		
Co./Dept. N. Region	Co. Vault		
Phone #	Phone #		
Fax #	Fax #		

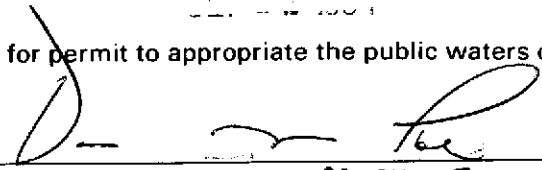
Pres. Don Poe
V. Pres Mark Poe
Sec. Treas. Becky Seubert

ALL AT:
P.O. Box 449
LEWISTON, ID 83501

661-1365
772-0511

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) PRESIDENT

SEP 18 1974

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by 3/25/74 Date 3/18/74 Time 3:00 PM (approx. 4:00 PM)
Fee \$ 65.00 Received by 3/18/74 Date 3/18/74 # N 7457
Publication prepared by 3/30/74 Date 3/18/74 Published in CDR @ 4/7/74
Publication approved 4/25/74 Date 4/25/74

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.

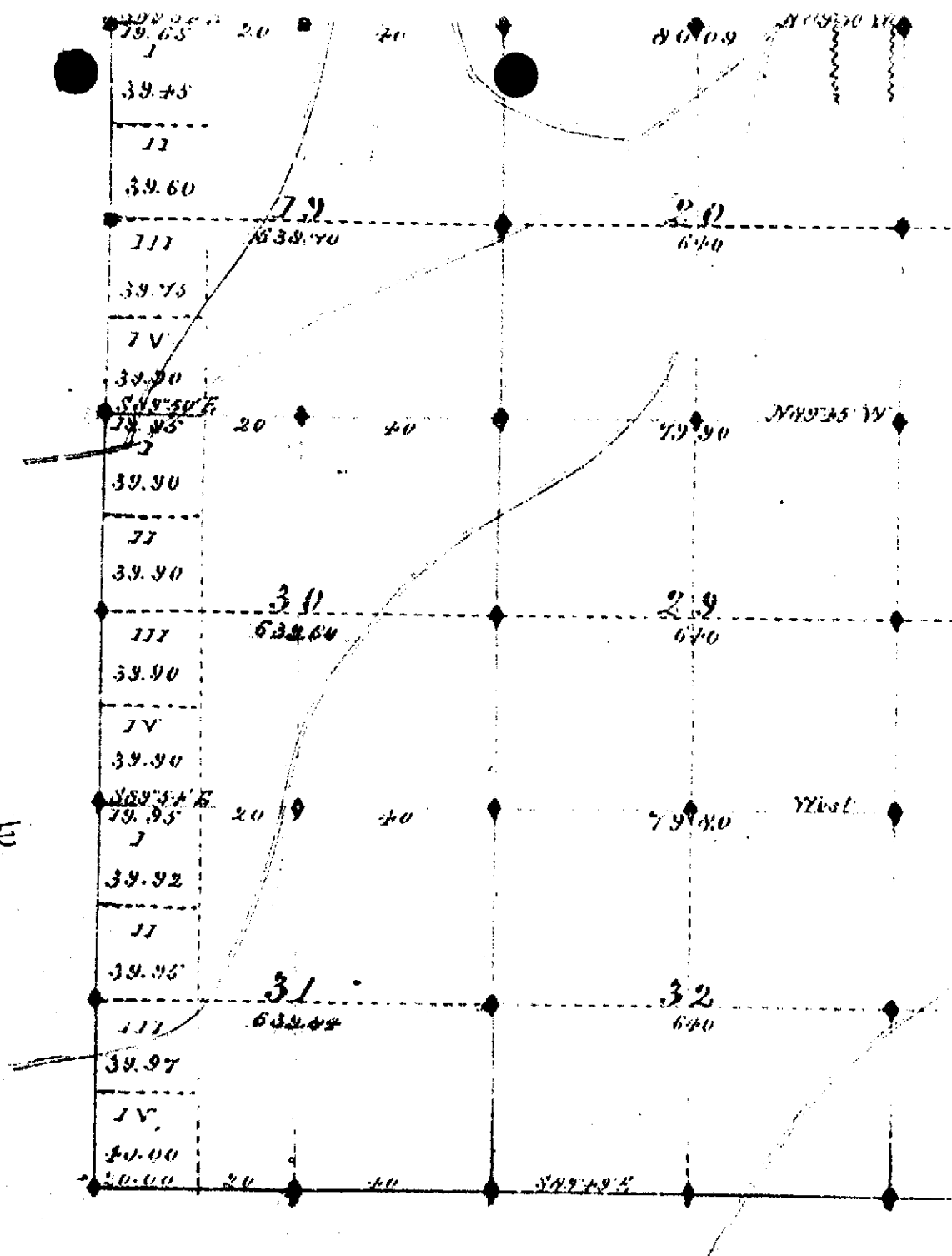
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

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.

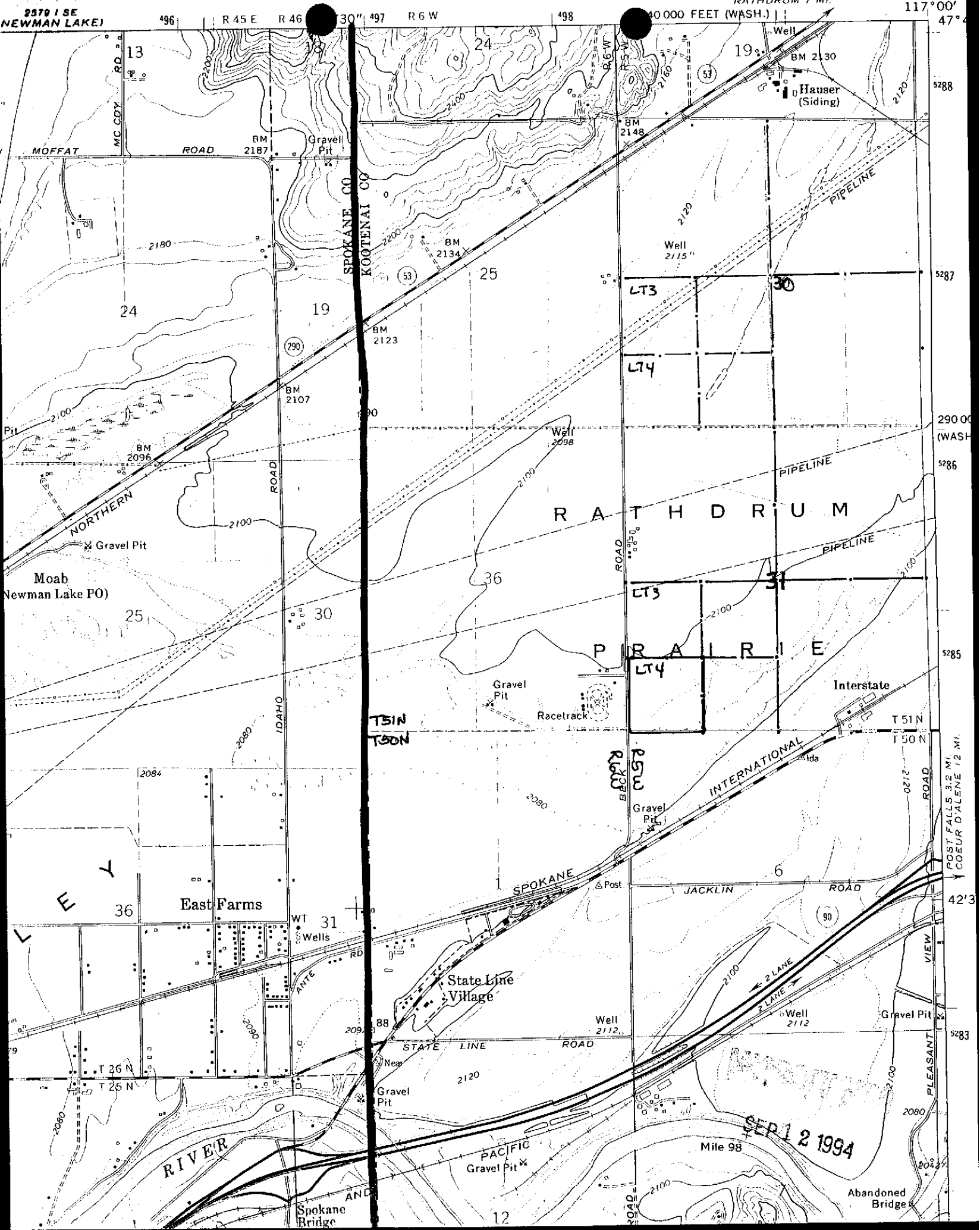
e. Other: _____

T 51N
RSW
S31
Lt 4 SESE



Tracts Designated	By whom Surveyed	Date of Contract	Amount of Survey	
			Acres	Chains
Tracts	John B. Davis	August 9 th 1880	0.5	70
divisions	" " "	September 10 th 1880	5.0	12
and	" " "	1884	2	57

2379 1 SE
NEWMAN LAKE





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2002

POE ASPHALT PAVING INC
PO BOX 449
LEWISTON ID 83501-0449

RE: Transfer No.: 69648 - Water Right 95-8860 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) 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 the APPLICANT 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.

ANY PERSON aggrieved by any decision, determination, order or action 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 Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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 208-327-7940.

Sincerely,

Samela S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

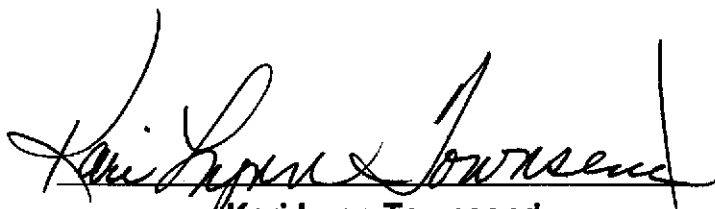
MICROFILMED
OCT 17 2002

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69648 - WATER RIGHT 95-8860

**POE ASPHALT PAVING INC
PO BOX 449
LEWISTON ID 83501-0449**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 17 2002**

**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).

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OCT 17 2002

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.

TRANSFER REVIEW SHEET

(07-02)

TRANSFER # 69648

DATE REVIEWED 8-12-2002 28

SPLIT ___ POD ___ ADD POD ___ POU ___ PERIOD ☒ or NATURE ___ of USE

ALL OF RIGHT(S) ☒ W=Water Right C=SRBA Claim R=SRBA Recommendation

<u>W/95-8860</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS(S)

(Unchanged)

(Changed)

<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
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<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season NA to NA

Standard Volume NA

(1) ☒ Priority (2) ☒ Use (3) 3 Season/W61 (4) ☒ Rate (5) ☒ Volume

(6) ☒ Source (7) ☒ P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) No Pertinent Conditions (13) No Expansion

3 Allow yr round use - No expansion of rate or volume/As Licensed.

Letter 1-15-02 Authorizing Josh Smith to act as Co. Representative in this matter from VP of OB.

Conditions/Remarks 0.1M, to 7, to 8 Comm. Use

WRs for Update Comments - NA -

Database Updated to Reflect Final Action 8-15-2002 28



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]
[[Get a certificate of existence for POE ASPHALT PAVING, INC.](#)]

POE ASPHALT PAVING, INC.

P O BOX 449
LEWISTON, ID 83501

Type of Business: CORPORATION, GENERAL BUSINESS

Status: GOODSTANDING, ANREPT SENT 04 Feb 2002

State of Origin: WASHINGTON

Date of 14 Apr 1966

Origination/Authorization:

Current Registered Agent: JIM SMITH
2613 SEAPORT DR
LEWISTON, ID 83501

Organizational ID / Filing C37369
Number:

Number of Authorized Stock N/A
Shares:

Date of Last Annual Report: 21 Feb 2002

Amendments:

Amendment 0 filed **14 Apr** CERTIFICATE OF AUTHORITY
1966

Amendment 1 filed **14 Apr** OTHER - RA
1966

Amendment 2 filed **20 Jun** STOCK CHANGE
1967

Amendment 2-A filed **20 Jun** NAME CHANGED TO POE ASPHALT PAVING, INC.
1967

Amendment 3 filed **20 Jul 1981** OTHER - CHG RA & RO

Amendment 4 filed **10 May** MERGED WITH POE LEASING, INC.
1984

Annual Reports:

Report for year 1987 ANNUAL REPORT

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Report for year 1988 ANNUAL REPORT

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Report for year 1989 ANNUAL REPORT

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Report for year 1990 ANNUAL REPORT

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OCT 17 2002

Report for year 1993 ANNUAL REPORT**Report for year 1994 ANNUAL REPORT****Report for year 1995 ANNUAL REPORT****Report for year 1996 ANNUAL REPORT****Report for year 1997 ANNUAL REPORT****Report for year 1998 ANNUAL REPORT****Report for year 1999 ANNUAL REPORT****Report for year 2001 ANNUAL REPORT****Report for year 2002 ANNUAL REPORT**[Download \(TIFF format\)](#)[View Document Online](#)
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Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

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OCT 17 2002

No. C 37369 Return for SECRETARY OF STATE 708 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than Apr 30, 2002 Annual Report Form POE ASPHALT PAVING, INC. P O BOX 449 LEWISTON, ID 83501		2. Registered Agent and Office NO PO BOX JIM SMITH 2813 SEAPORT DR LEWISTON, ID 83501 3. New Registered Agent Signature	
4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.					
Office held	Name	Street or P.O. Address	City	State	Zip
PRESIDENT	MARK POE	P.O. BOX 449	LEWISTON	ID	83501
SECRETARY	CATHY POE	P.O. BOX 449	LEWISTON	ID	83501
DIRECTOR	DON POE	3675 NICKLAUS DR.	CLARKSTON	WA	99403
5. Organized Under the Laws of: WASHINGTON C 37369		6. Signature <i>Mark Poe</i> Name <u>MARK POE</u> Title <u>PRESIDENT</u>		Date <u>2/18/02</u> 2056	

Do Not Tape or Staple

MICROFILMED

OCT 17 2002

APR 24 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

Department of Water Resources

(ok to file)
1/22/02
Ready to Adv.

INITIAL REVIEW BY: TS

TRANSFER # 69648

1. Right number 95-08860 Applicant POE ASPHALT
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other PERIOD OF USE
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☐ Check description of point(s) of diversion.
 - d. ☐ Check description of place of use.
 - e. ☐ Check map (shows p.d. and p.u. after transfer).
 - f. ☐ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☐ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☐ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

2/25/02

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

4. By _____ Date _____

69648

AFFIDAVIT OF PUBLICATION

RECEIVED

FEB 19 2002

STATE OF IDAHO,
County of Kootenai, SS.

Jennifer Standridge 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 issue of said newspaper for 2 consecutive Thursday Weeks commencing on the 14 day of February 2002 and ending on the 14 day of February 2002 and such publication was made as often during said period as said 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.

Personally appeared before me this 14 day of February 2002

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69648

POE ASPHALT PAVING INC, PO BOX 449, LEWISTON, ID 83501-0049, has filed Application No. 69648 for changes to the following water rights within KOOTENAI County:

Right No. 95-8860

Priority: 3/25/1994

Source: GROUND WATER

Use: COMMERCIAL (0 acres)

0.84 CFS

93.4 AFA

Total Amount:

0.84 CFS

93.4 AFA

Point(s) of Diversion: L4 SWSW S30 T51N R05W

Place of Use: S30 T51N R05W

The purpose of the transfer is to change a portion of the above rights as follows:
Purpose of this Transfer is to change period of use from 4-1 through 11-30 to 1-1 through 12-31 for increased flexibility of operation. **No other changes.**

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

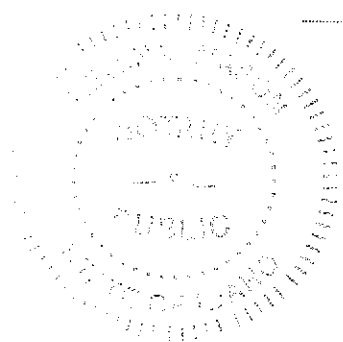
Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 together with a protest fee of \$25.00 for each application on or before February 25, 2002. The protestant must also send a copy of the protest to the applicant.

Legal 0425
Feb. 7, 14, 2002

KARL J. DREHER, Director

MICROFILMED

DATE 2-20-02



NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 69648

*Replacement
copy* *db*

POE ASPHALT PAVING INC, PO BOX 449, LEWISTON, ID, 83501-0049, has filed Application No. 69648 for changes to the following water rights within KOOTENAI County:

Right No. 95-8860

Priority 3/25/1994

Source GROUND WATER

Use COMMERCIAL (0 acres) 0.84 CFS 93.4 AFA

Total Amount 0.84 CFS 93.4 AFA

Point(s) of Diversion L4 SWSW S30 T51N R05W

Place of Use S30 T51N R05W

The purpose of the transfer is to change a portion of the above rights as follows:

Purpose of this Transfer is to change period of use from 4-1 through 11-30 to 1-1 through 12-31 for increased flexibility of operation. **No other changes.**

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before February 25, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on February 7 and 14, 2002.

MICROFILMED

AUG 6 2 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Fax (208) 769-1454

February 1, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Jennifer
Legal Notice Department
Coeur D Alene Press
201 N 2nd
COEUR D ALENE ID 83814

FAXED TO 664-0212
February 1, 2002
by Dianne Ball

2 pages

RE: Transfer No. 69648
Water Right No(s). 95-8860

Dear Jennifer:

This is a replacement for the Legal Notice for this same Transfer No. 69648, Water Right No 95-8860, that I faxed over to you yesterday. Please use this copy, ignoring the one you received earlier. Publication dates remain the same, but we have shortened the legal notice for clarification purposes. Thank you very much. *db*

Dianne Ball
Administrative Assistant

~~~~~  
Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/25/2002. Your cooperation is appreciated.

Sincerely

*Thanks Dianne*

*Dianne*

Dianne Ball  
Administrative Assistant

MICROFILMED

FEB 1 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69648

POE ASPHALT PAVING INC, has filed Application No. 69648 for changes to the following water rights within KOOTENAI County:

Right No. 95-8860

Priority 3/25/1994

Source GROUND WATER

Use COMMERCIAL (0 acres) 0.84 CFS 93.4 AFA

Total Amount 0.84 CFS 93.4 AFA

Point(s) of Diversion L4 SWSW S30 T51N R05W

Place of Use S30 T51N R05W

The purpose of the transfer is to change a portion of the above rights as follows:

Proposed Right No. 95-8860

Priority 3/25/1994

Source GROUND WATER

Use COMMERCIAL (0 acres) 0.84 CFS 93.4 AFA

Total Amount 0.84 CFS 93.4 AFA

Point(s) of Diversion L4 SWSW S30 T51N R05W

Place of Use S30 T51N R05W

*delete & resend  
2/11/02*

*delete* Remark:

Purpose of this Transfer is to change period of use from 4-1 through 11-30 to 1-1 through 12-31 for increased flexibility of operation. **No other changes.**

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before February 25, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on February 7 and 14, 2002.

MICROFILMED

SEP 17 2002



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

Fax (208) 769-1454

January 31, 2002

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Legal Notice Department  
Coeur D Alene Press  
201 N 2<sup>nd</sup>  
COEUR D ALENE ID 83814

FAXED TO 664-0212  
January 31, 2002  
by Dianne Ball

*2 pages*

RE: Transfer No. 69648  
Water Right No(s). 95-8860

Dear **LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 02/25/2002. Your cooperation is appreciated.

Sincerely

*Thanks to you*

*Dianne*

Dianne Ball  
Administrative Assistant

MICROFILMED

100-1-1000



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

Fax (208) 769-1454

January 31, 2002

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON ID 835010449

RE: Application for Transfer No 69648  
Water Right No(s) 95-8860

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on February 7 and 14, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,

Allen Beardslee  
Senior Water Resource Agent

Enclosure(s) Receipt No. 14808MICROFILMED

9/27/02



☒ CLARKSTON DIVISION  
P.O. Box 449 Lewiston, ID 83501  
Ph: 509/758-5561 Fax: 509/758-1754

☐ GRANGEVILLE DIVISION  
Route 2, Box 862 Grangeville, ID 83530  
Ph: 208/983-1679 Fax: 208/983-3466

☐ POST FALLS DIVISION  
2732 N. Beck Road Post Falls, ID 83854  
Ph: 208/777-0498 Fax: 208/777-0499

☐ PULLMAN DIVISION  
6002 SR 270 Pullman, WA 99163  
Ph: 509/334-6400 Fax: 509/334-6464

January 15, 2002

Department of Water Resources  
This document faxed to: 208/769-1454  
At the request of Wyatt.

Regarding: Josh Smith

To whom it may concern:

Please be advised that Josh Smith is the QA/QC Specialist of Poe Asphalt Paving, Inc., with offices of the corporation residing at 302 15<sup>th</sup> Street, Clarkston, Washington. Josh Smith is the certified representative of this company authorized to sign documents pertaining to water rights, for all our pit and plant locations, i.e. Post Falls ID, Pullman WA, Lewiston ID and Grangeville ID.

If you have any questions please feel free to contact our office.

Respectfully submitted,  
**POE ASPHALT PAVING, INC.**

A handwritten signature in cursive script, appearing to read "B. Griffith".

Brad Griffith  
Vice President

MICROFILMED

OCT 17 2002



"an equal opportunity employer"



# WYATT ENGINEERING, INC.

January 11, 2002

Mr. Allen Beardslee  
Senior Water Resources Agent  
Idaho Department of Water Resources  
1910 Northwest Boulevard, Suite No. 210  
Coeur d'Alene, Idaho 83814 - 2615

RECEIVED  
JAN 14 2002  
IDWR/North

Subject: Water Appropriation Application No 95-8860, Application for Transfer of Water Right.

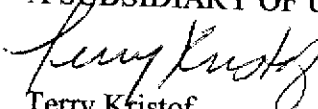
Dear Mr. Beardslee:

Here is our completed, signed, notarized Application for Transfer of Water Right for the Stateline Facility owned by Poe Asphalt Paving Inc. As you know, the amount of water used will not exceed the total allowance, nor will the water right transfer to another property. Poe Asphalt Paving Inc. is requesting a change in the period of use to allow for increased flexibility of their operation.

If you have any questions, or need any further information, please call me at 208-746-2661. Thank you for your assistance in this matter.

Sincerely,

WYATT ENGINEERING, INC.  
A SUBSIDIARY OF USKH, INC.

  
Terry Kristof  
Senior Geologist

☐ 101 Thain Road  
Lewiston, ID 83501  
Ph.: (208) 746-2661  
Fax: (208) 746-6825

MICROFILMED

JAN 14 2002

☐ 1220 North Howard  
Spokane, WA 99201  
Ph.: (509) 328-5139  
Fax: (509) 328-0423

ENGINEERS

SURVEYORS

PLANNERS

CONSTRUCTION MANAGERS

## Proof Report

Permit No. 753730  
Metal Tag No.  
Well ID # 273193  
Water Right No. 95-8860

Relationship: Owner/Operator  
Name: POE ASPHALT PAVING INC Phone:(208)772-0511  
Address: PO BOX 449  
LEWISTON ID 83501

Well Location: Township 51N, Range 05W, Section 30, SW, SW  
COUNTY KOOTENAI

Address of Well Site: BECK ROAD (STATELINE)  
ID

Use of Well: Industrial

Activity: New Well

Region: Northern

Construction Method:

Const Start Date: Mar 21 1994 Const End Date: Mar 24 1994

Well Drilling Company: H2O WELL SERVICE (No. 448)

Card Hold Name: JOHN H WHEELER Phone:(208)772-4004 (No. 4055)

Certifying Official:

Date Received: Apr 15 1994

Date Approved: Mar 18 1994

Date Inspected: Apr 14, 1994, Apr 15, 1994,

Completed Depth: 188 FT Drilled Depth: Surface Diameter: 8 inches

Primary Flow Depth: Overall Temp: Static Water Level: 124

Head Pipe Length: Tail Pipe Length Production Rate: 300 GPM

Closed in Pressure: 0 Psi Bottom Hole Temp: 0 F. Low Temp Geothermal: NO

Control Device Desc:

Access Port Desc:

### Casing

| From | To  | Diam | Type | Gauge | Join Type | Material |
|------|-----|------|------|-------|-----------|----------|
|      | 178 |      |      |       |           |          |

### Seal

| From | To | Material | Amount | Method |
|------|----|----------|--------|--------|
|------|----|----------|--------|--------|

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**Screen**

| From | To | Dia | Type | Slot<br>Size | # of<br>Slots | Material | Perforation<br>Meth | Screen Type |
|------|----|-----|------|--------------|---------------|----------|---------------------|-------------|
|------|----|-----|------|--------------|---------------|----------|---------------------|-------------|

**Lithologic Layer**

| From | To | Diam | Water | Color | Material | Texture |
|------|----|------|-------|-------|----------|---------|
|------|----|------|-------|-------|----------|---------|

**Drive Shoe**

| Depth | Test Description |
|-------|------------------|
|-------|------------------|

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SEP 24 1982



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 6, 1995

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON ID 835010449

RE: Water Right No. 95-08860

Dear Water Right Holder:

Enclosed is a copy of the Water Right License issued on the above referenced permit, along with a copy of your approved Application for Amendment and receipt C033656 for your amendment fee.

Check No. 34600 and the Application for Amendment that you signed on October 3, 1995, are also enclosed. They appear to duplicate the Application for Amendment and fee already received and processed by IDWR.

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

Sincerely,

Shelley Walter Keen  
Water Rights Supervisor

SWK  
Enclosures

cc: Ruby Tolsma

RECEIVED  
OCT 10 1995

OCT 10 1995



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

September 25, 1995

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON ID 835010449

RE: WATER RIGHT NO. 95-08860

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosure

SEP 28 1995



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 22, 1995

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON ID 835010449

RE: WATER RIGHT NO. 95-08860

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

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

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

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

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosure

*Cindy Zimmerman*

Permit #: 95-8860 Name: Poe Asphalt Paving Date: 8/17/95  
App Rcd 3/25/94 Priority 3/25/94 Examined 5/8/95 ✓ Lots ✓

|        |      |          |                                        |
|--------|------|----------|----------------------------------------|
|        | Chng | OK       |                                        |
| NAME   | ___  | <u>✓</u> | Or Address Change?                     |
| SOURCE | ___  | <u>✓</u> | Clarify source _____                   |
|        |      |          | Prelim. Order to Void - Source change. |

\* P/D ✓        Amendment Needed? change to S30 -P39,P38  
Overlap(s)

P/U      ✓      —      Amendment Needed? change to S30      -P41,P38  
Overlap(s) \_\_\_\_\_  
                                 \*P/D & P/U Amend? **P37,P38**  
(See paragraph list for governmental agencies)

RATE \_\_\_\_\_

\_\_\_\_\_ Permit/fee limits: 1.00 / 0.00

\_\_\_\_\_ Measured Q= \_\_\_\_\_ cfs Theoretical Q= 0.84 cfs

---

(HP)  $\frac{8.8 \times 0.80 \times 40}{64 + (2.31 \times 80)} = \frac{211.2}{248.8} = 0.84$  cfs

Recommended capacity 0.84 cfs

Recommended rate 0.84 cfs

\* VOLUME \_\_\_\_\_ Season of Use: ( ) 4/1 - 11/30 = 243 days <sup>(-weekends)</sup>  
Calculations:  
 $0.84 \times [(5 d \times 34 wks) \times (8 hr/d \div 24 hrs/d)] \times 1.9835 = 93.4 AF$   
Flow limit: \_\_\_\_\_ x \_\_\_\_\_ x 1.9835 = \_\_\_\_\_ AF  
Recommended volume 93.4 AF

USES \_\_\_\_\_ ✓ Same Nature of Use? \_\_\_\_\_ -P46  
Amendment Needed? \_\_\_\_\_

REMARKS Multiple p/d's in  $\frac{1}{4}$ ? ✓  
① Common gravel washing

CONDITIONS        1      Measuring (R01)/Locking (R02) Devices  
                    2      Watermaster Control (R04) - WD # \_\_\_\_\_  
                    3      Irrigation rate/volume overlap  
                    4      Irrigation water overlap (065) (If gw use sw)  
                    5      Water Quality/Other

PRIORITY Due 5/1/95 Rc'd 3/16/95 Receipt# CO32320 Fee OK? (Yes) No  
Order to Reinstate Needed? Yes/No Done? \_\_\_\_\_  
If Yes, Advanced? Yes/No to: \_\_\_\_\_

COMMENTS: amend PD(Sec); limited by capacity

| USE   | CFS  | DIV VOL | Adjustment Memo       |
|-------|------|---------|-----------------------|
| Comm  | 0.84 | 93.4    | LICENSE: P49          |
|       |      |         | #1 AMEND LTR: P46 or  |
|       |      |         | P39/P41/P37 & P38     |
| TOTAL | 0.84 | 93.4    | #2 AMEND LTR: P42/P47 |

## MEMORANDUM

DATE: August 17, 1995  
TO: File No. 95-08860  
FROM: Cindy Zimmerman S.  
SUBJECT: Review of Beneficial Use Field Report

=====

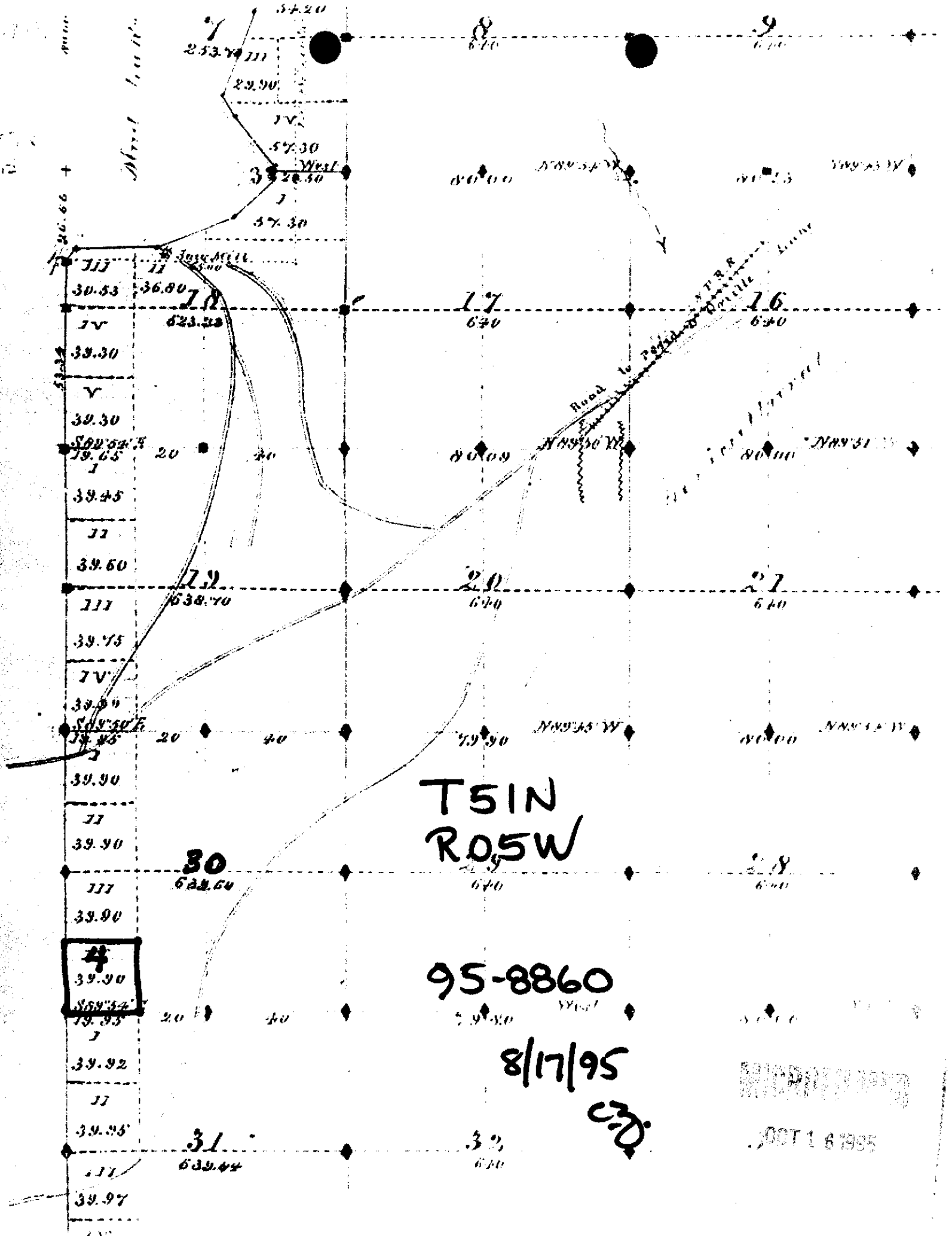
The following adjustments were made on the field report:

1. Point of diversion, per orthoquad, is located within Lot 4 (SWSW), S30, T51N, R05W.
2. Annual Volume.
  - a. Commercial use, per telecon with Dan Hacker, occurs approximately 8 hrs/day, 5 days/week, 34 weeks/year.  
AF = capacity x time x 1.9835  
=  $0.84 \times [(5 \text{ d/w} \times 34 \text{ w/y}) \times (8 \text{ h} \div 24 \text{ h/d})] \times 1.9835$   
=  $0.84 \times [170 \times 0.33] \times 1.9835$   
=  $0.84 \times 56.1 \times 1.9835$   
= 93.4 AFA.

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OCT 16 1995

West



T51N  
R05W

95-8860

8/17/95

CJD

4

RECORDED

OCT 16 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

JUL 13 1995

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 95-8860

1. Owner: POE Asphalt Paving Inc. Phone No. 772 0511

Current Address: P.O. Box 449 LENISTON ID 83501-0449

2. Accompanied by: \_\_\_\_\_ EXAM DATE: 5/8/95

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: GROUNDWATER tributary to \_\_\_\_\_

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|----------|---------------------------------|
|           |           |     |     | 3N  | 30   | 51   | 5N   | Kootenai | 4/5/95 Topo & Site visit        |
|           |           |     |     |     |      |      |      |          |                                 |
|           |           |     |     |     |      |      |      |          |                                 |
|           |           |     |     |     |      |      |      |          |                                 |

**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 |        |
| 51N | 5N  | 30  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Microfilm  
OCT 18 1995

CONTINUED

2. Measurements:

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

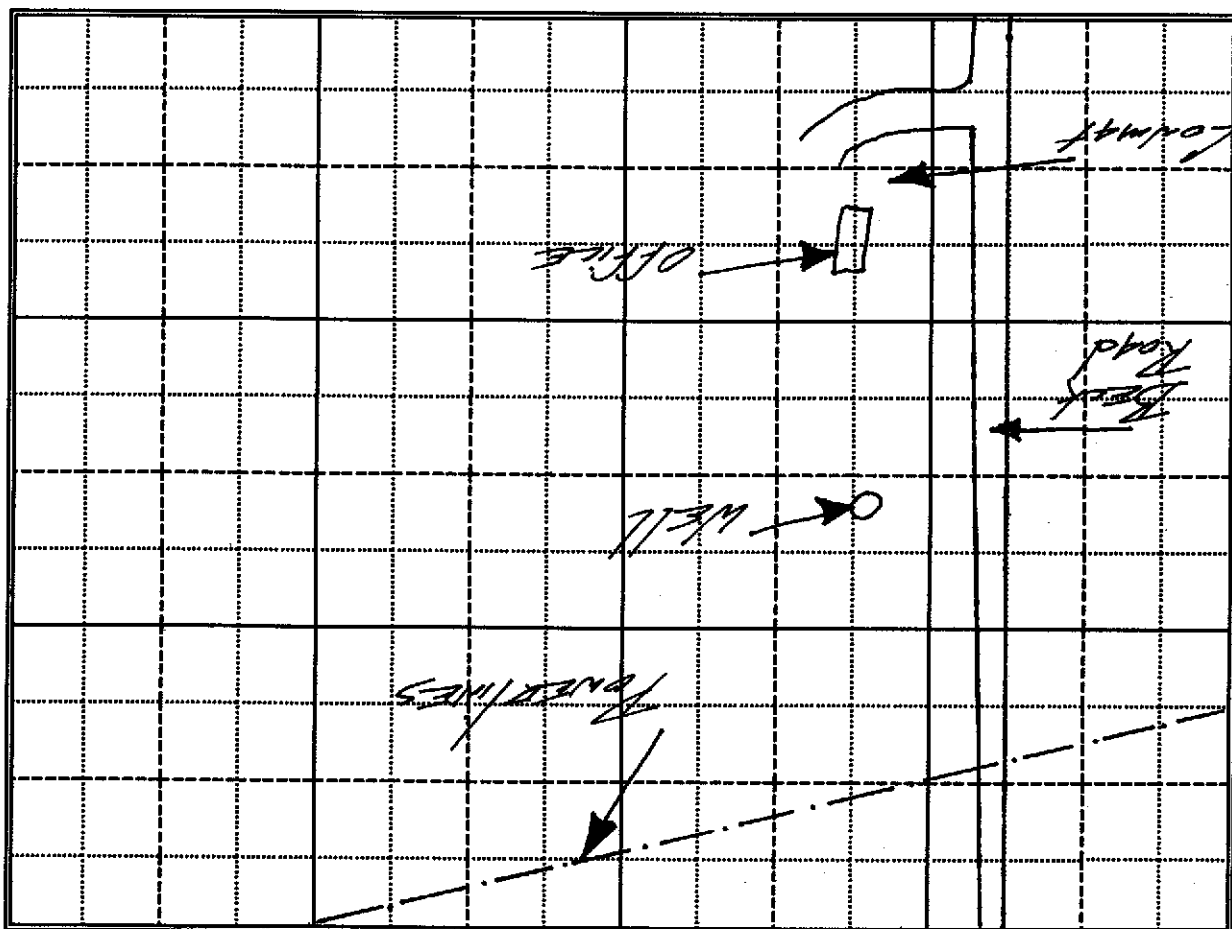
D. FLOW MEASUREMENTS

\*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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| <del>SUBMERGIBLE</del>                |            | 40 |                  | 400/43    | 143670                            |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

4.

Scale: 1" = \_\_\_\_\_  
 \_\_\_\_\_ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).  
 \_\_\_\_\_ Aerial Photo Attached (required for irrigation of 10+ acres)  
 \_\_\_\_\_ Photo of Diversion and System Attached



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

E. NARRATIVE/REMARKS/COMMENTS

Also send a copy of the permit  
to Lonmat

P.O. Box 1719

Hayden Lake Id 83835



Have conditions of permit approval been met? ☒ yes

☐ no

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OCT 16 1995

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

**G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  0.84 240 399 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_**2. Volume Calculations for Other Uses:****H. RECOMMENDATIONS****1. Recommended Amounts**

| Beneficial Use    | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------|---------------|--------------|------------------------------|--------------------------|
|                   | From          | To           |                              |                          |
| <u>Commercial</u> | <u>4-1</u>    | <u>11-30</u> | <u>0.84</u>                  | <u>399*</u>              |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| Totals:           |               |              | <u>0.84</u>                  | <u>399*</u>              |

**2. Recommended Amendments**

\_\_\_\_ Change P.D. as reflected above    \_\_\_\_ Add P.D. as reflected above    \_\_\_\_ None  
\_\_\_\_ Change P.U. as reflected above    \_\_\_\_ Add P.U. as reflected above    \_\_\_\_ Other

**I. AUTHENTICATION**Field Examiner's Name Barbara L. Anderson Date 5/8/95

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL  
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OCT 16 1995

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-08860

DATE: 14-JUN-95

COMPLETE BY: CHARLOTTE

HORSEPOWER = 40

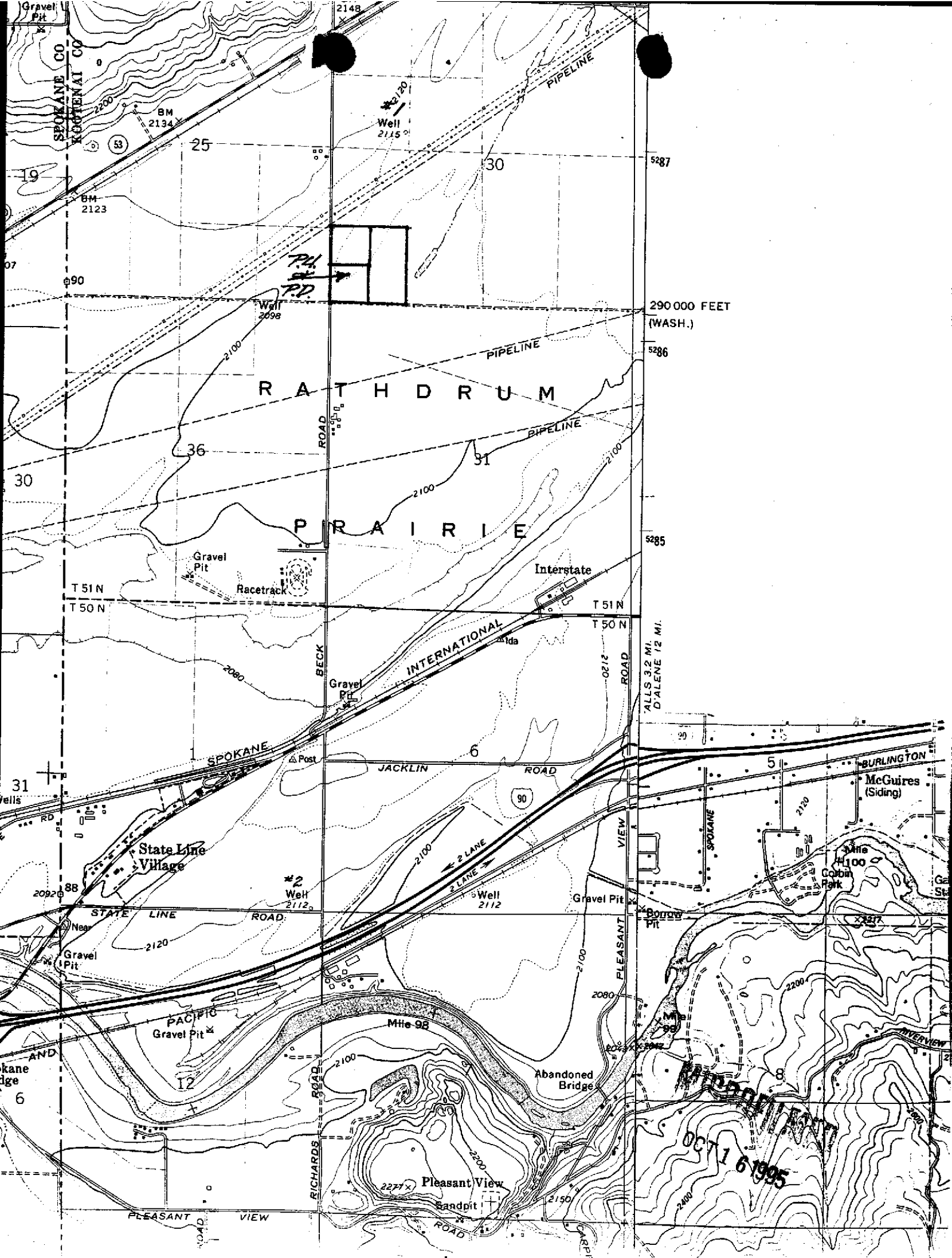
PUMP EFFICIENCY = 60%

DYNAMIC LIFT = 64 FEET

SYSTEM PRESSURE = 80 PSI

QUANTITY = 0.84 CFS

MICROFILMED  
OCT 16 1995



**IDAHO DEPARTMENT OF WATER RESOURCES**  
**WELL DRILLER'S REPORT**

**Use Typewriter  
or  
Ball Point Pen**

1. DRILLING PERMIT NO. 95-.94 N .50 ~~000~~.  
Other IDWR No. 95-08870

2. OWNER: POE ASPHALT  
Name  
Address PO BOX 449  
City LEWISTON State ID 7in 83501

**3. LOCATION OF WELL by legal description:**

Sketch map location must agree with written location.

N  
 W E S  
 Twp. 51 North ☒ or South ☐  
 Rge. 05 East ☐ or West ☒  
 Sec. 27 30 1/4 SW 1/4 SW 1/4 SW 1/4  
 Govt Lot \_\_\_\_\_ County KOOTENAI

Address of Well Site ~~(STATELINE)~~-BECK RD.

(Give at least name of road + Distance to Flood or Landmark)

Lt. \_\_\_\_\_ Blk. \_\_\_\_\_ Sub. Name \_\_\_\_\_

**4. PROPOSED USE:**

☒ Domestic    ☐ Municipal    ☐ Monitor    ☐ Irrigation  
☐ Thermal    ☐ Injection    ☐ Other \_\_\_\_\_

## 5. TYPE OF WORK

☒ New Well    ☐ Modify or Repair    ☐ Replacement    ☐ Abandonment

## 6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other

## **7. SEALING PROCEDURES**

| SEAL/FILTER PACK |      |    |          | AMOUNT<br>Sacks or<br>Pounds | METHOD |
|------------------|------|----|----------|------------------------------|--------|
| Material         | From | To |          |                              |        |
| BENTONITE        | 0    | 40 | 100 GALS | SLURRY POUR                  |        |
|                  |      |    |          |                              |        |
|                  |      |    |          |                              |        |

Was drive shoe used? ☐ YES ☒ NO

Was drive shoe seal tested? Y ☐ N ☐ How?

**8. CASING/LINER:**

| Diameter | From | To  | Gauge | Material | Casing                              | Liner                    | Welded                   | Threaded                 |
|----------|------|-----|-------|----------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| 8        | +3   | 178 | 250   | STEEL    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|          |      |     |       |          | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|          |      |     |       |          | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Length of Headpipe \_\_\_\_\_ Length of Tailpipe \_\_\_\_\_

## 9. PERFORATIONS/SCREENS

☐ Perforations Method \_\_\_\_\_  
☒ Screens Screen Type **STAINLESS STEEL**

| From | To  | Slot Size | Number | Diameter | Material | Casing                   | Line                     |
|------|-----|-----------|--------|----------|----------|--------------------------|--------------------------|
| 178  | 188 | 100       | 2-5'   | 8"       |          | <input type="checkbox"/> | <input type="checkbox"/> |
|      |     |           |        |          |          | <input type="checkbox"/> | <input type="checkbox"/> |
|      |     |           |        |          |          | <input type="checkbox"/> | <input type="checkbox"/> |

**10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:**

124' ft. below ground      Artesian pressure      lb.

## 11. WELL TESTS:

☐ Pump    ☐ Bailer    ☒ Air    ☐ Flowing Artesian

| Yield gal/min. | Drawdown | Pumping Level | Time |
|----------------|----------|---------------|------|
| 300+           |          |               |      |
|                |          |               |      |
|                |          |               |      |

Water Temp. \_\_\_\_\_ Bottom hole temp. \_\_\_\_\_

Water Quality test or comments:

## 12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

### 13. DRILLER'S CERTIFICATION

**I/We certify that all minimum well construction standards were complied with at the time the rig was removed.**

Firm Name H2O WELL SERVICE INC Firm No. #448

Firm Official  Date 4-9-41

0071 6433

March 17, 1995

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON ID 835010449

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08860

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

RECEIVED  
MAR 30 1995

February 28, 1995

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON ID 835010449

PROOF DUE NOTICE

RE: PERMIT NO. 95-08860

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 May 1, 1995.

(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.

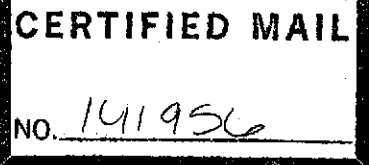
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MAR 30 1995





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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 12, 1994

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON ID 835010449

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08860

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.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosures

SEP 12 1994

M E M O R A N D U M

TO: FILE

VIA: Robert Haynes - Manager, Northern Regional office.

FM: Tom King - Sr. Water Resource Agent, Northern Region

Date: APRIL 18, 1994

SUBJECT: 95-08860 / 95-94-N-0050-000 / 95-94-N-0050-001

=====

Inspection of this well has revealed that it is actually located within Section 30, T51N, R5W. Corrections to ~~ground-water~~ data base have been made. An Amendment to change the point of diversion should be filed prior to licensing.

well drilling

Defer until field exam confirmation of P/d location.

Jni  
5-9-94

RECEIVED

SEP 12 1994

95-08860

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON, ID 83501

Source: GROUNDWATER

Diversion Pt: SWSW Sec 31 T 51N R 05W in KOOTENAI County.

Use: COMMERCIAL ( 1.000 CFS)  
Total Diversion: ( 1.000 CFS)

Date Filed: 3/25/1994

In: KOOTENAI County  
T51N R05W S31 SWSW

SEP 12 1994

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
County of Kootenai,

} ss.

Ken 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 issue of said newspaper for 2 consecutive weeks commencing on the 7th day of April, 1994, and ending on the 14th day of April, 1994, and such publication was made as often during said period as said 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.

Subscribed and sworn to before me this

14th

day of

April

1994

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

95-08862  
CITY OF POST FALLS  
408 SPOKANE ST  
POST FALLS, ID 83854  
Source: GROUNDWATER  
Diversion Pt: NWNWSW Sec 1 T 50N R 05W in KOOTENAI County.  
Use: MUNICIPAL (5.00 CFS)  
Total Diversion: (5.00 CFS)  
Date Filed: 3/23/1994  
T R 500

95-08863  
SNYDER, R WILLIAM  
S 18211 LATAH CREEK RD  
VALLEYFORD, WA 99036  
Source: KRUSE CREEK  
Tributary: LAKE CREEK  
Diversion Pt: LOT 10 (SWSW) Sec 8 T 48N R 05W in KOOTENAI County.  
Use: WILDLIFE STORAGE (3.00 AF)  
DIVERSION TO STORAGE (200 CFS)  
Total Diversion: (200 CFS)  
Date Filed: 3/29/1994  
In: KOOTENAI County  
T48N R05W S08 SWSW

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 on or before APRIL 25, 1994.

R. KEITH HIGGINSON, Director  
Legal 868  
April 7, 14, 1994

## NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08857

FOOTE, JIM  
2076 MILLVIEW LN  
COEUR D'ALENE, ID 83814  
Source: SPOKANE RIVER  
Tributary: COLUMBIA RIVER  
Diversion Pt: NESE Sec 10 T 50N R 04W in KOOTENAI County.  
Use: IRRIGATION (040 CFS)  
Total Diversion: (040 CFS)  
Date Filed: 3/28/1994  
In: KOOTENAI County  
T50N R04W S10 NESE  
1.0 ACRES TOTAL  
95-08858

SYLTE RANCH  
RT 4 BOX 854  
RATHDRUM, ID 83858  
Source: UNNAMED STREAM  
Tributary: RATHDRUM CREEK  
Source: RATHDRUM CREEK  
Tributary: SINKS  
Diversion Pt: NWSW Sec 30 T 52N R 04W in KOOTENAI County.  
Use: IRRIGATION (560 CFS)  
IRRIGATION STORAGE (5.00 AF)  
FROM STORAGE (5.00 AF)  
STOCKWATER (560 CFS)  
STOCKWATER STORAGE (5.00 AF)  
FROM STORAGE (5.00 AF)  
RECREATION (560 CFS)  
RECREATION STORAGE (5.00 AF)  
DIVERSION TO STORAGE (560 CFS)  
Total Diversion: (560 CFS)  
Date Filed: 3/23/1994  
In: KOOTENAI County  
T52N R04W S30 NESW NWSW SWSW  
SESW  
33.0 ACRES TOTAL  
95-08859

BALDWIN, ROY  
2517 POWDERHORN ST  
POST FALLS, ID 83854  
Source: GROUNDWATER  
Diversion Pt: SESE SEC 7 T 50N R 05W in KOOTENAI County.  
Use: IRRIGATION (100 CFS)  
DOMESTIC (110 CFS)  
Total Diversion: (210 CFS)  
Date Filed: 3/21/1994  
In: KOOTENAI County  
T50N R05W S07 SESE  
5.0 ACRES TOTAL  
95-08860

POE ASPHALT PAVING INC  
PO BOX 449  
LEWISTON, ID 83501  
Source: GROUNDWATER  
Diversion Pt: SWSW Sec 31 T 51N R 05W in KOOTENAI County.  
Use: COMMERCIAL (1.000 CFS)  
Total Diversion: (1.000 CFS)  
Date Filed: 3/25/1994  
In: KOOTENAI County  
T51N R05W S31 SWSW  
95-08861

STONE, CHARLES M  
E 4203 43RD AVE  
SPOKANE, WA 99223  
Source: COEUR D'ALENE LAKE  
Tributary: SPOKANE RIVER  
Diversion Pt: LOT 2 (SWNE) Sec 28 T 48N R 04W in KOOTENAI County.  
LOT 2 (SENE) Sec 28 T 48N R 04W in KOOTENAI County.  
Use: DOMESTIC (040 CFS)  
Total Diversion: (040 CFS)  
Date Filed: 3/29/1994  
In: KOOTENAI County  
T48N R04W S28 LOT 2 (SWNE) LOT 2 (SENE)

SEP 12 1994



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615  
(208) 769-1450 Fax (208) 769-1454

CECIL D. ANDRUS  
March 31, 1994

R. KEITH HIGGINSON  
Director

Poe Asphalt Paving Inc.  
P.O. Box 449  
Lewiston, Id. 83501

Gentlemen:

Re: Water Appropriation Application No. 95-8860.

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/pms

SEP 12 1994



Ident. No.

95-94-N-0050-000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR DRILLING PERMIT**

1. Name: POE ASPHALT PAVING INC  
Address: PO BOX 449  
LEWISTON ID 83501

O 208-772-0511

2. Proposed Well Location: Township 51N, Range 05W, Sec. 31, SWSW  
KOOTENAI County

Street Address of Well Site: STATELINE BECK RD.

ID

## 3. Proposed Use of Well: Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

## 4. Well Construction Information:

A. New Well

B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 200 Ft.

C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

(NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 3/18/1994

6. Anticipated Well Driller: H2O WELL SERVICE

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature [Signature] Date 3-18-94

Title Drilling Supervisor - H2O  
(Owner, Firm Representative, Other)

\*\*\*\*\*  
Fee \$ 200.00 Received by [Signature] No. N007457 Date 3/18/94

(Continued)

APR 12 1994

## ACTION OF THE DEPARTMENT OF WATER RESOURCES

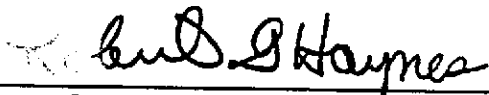
This permit is **APPROVED**

Date: 3/18/1994

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 degrees or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Applicant requests issuance of this Drilling Permit prior to approval of a Water Right or Transfer of a Water Right. Applicant acknowledges that by accepting a drilling permit and commencing construction he accepts all risk that the well may not ultimately be approved for use.



Signature of Authorized Dept. Representative

**REGIONAL MANAGER**

Title

\*\*\*\*\*  
EXTENSION OF DRILLING PERMIT

Extension Approved by: \_\_\_\_\_

Approval Date: \_\_\_\_\_

Expires On: \_\_\_\_\_

SEP 12 1994

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Original  
being mailed  
back to POE  
for signature  
& official list.

To appropriate the public waters of the State of Idaho

1. Name of applicant Poe Asphalt Phone 772-0511  
Post office address PO Box 4419 Lewiston, Id 83501
2. Source of water supply ground water which is a tributary of N/A
3. Location of point of diversion is SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_  
Sec. 31 Township 51N Range 5W B.M. Kootenai County; additional  
points of diversion if any: well head
4. Water will be used for the following purposes:  
Amount 1 cfs for washing gravel purposes from April 1 to Nov 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) 1 cubic feet per second and/or (b) 1.5835 acre feet per annum
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. submersible pump to wash plant
  - 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 8" inches; proposed depth of well is \_\_\_\_\_ feet.
  - d. Is ground water with a temperature of greater than 85°F being sought? \_\_\_\_\_
  - e. If well is already drilled, when? \_\_\_\_\_; Drilling firm H2O Well Service;  
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 \_\_\_\_\_ years (minimum 1 year).

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

- Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. \_\_\_\_\_
- Municipal; show name of municipality. \_\_\_\_\_
- Domestic; show number of households. \_\_\_\_\_
- Other; describe fully. Commercial use, washing gravels.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 51N | 5W    | 31   |     |     |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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? Poe Asphalt - ComMat

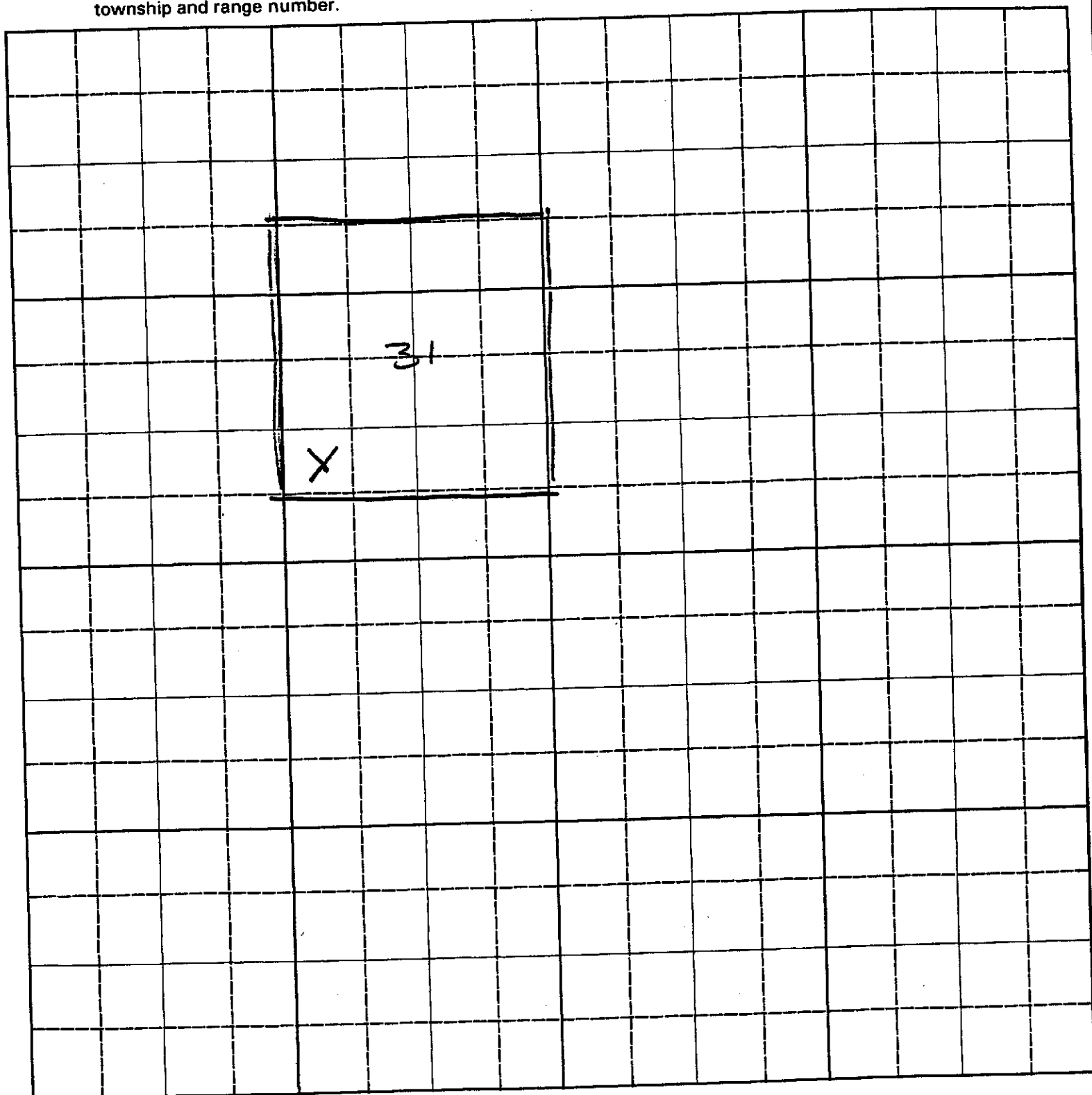
b. Who owns the land to be irrigated or place of use? same

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: \_\_\_\_\_

SEP 12 1967

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



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.

SEP 12 1994

Duff McCarty  
(Applicant)

Received by [Signature] Date 3/18/94 Time 3:52 (no signature or official test) Preliminary check by [Signature]  
Fee \$ 65.00 Received by [Signature] # N 7457 Date 3/18/94  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_

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

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:

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