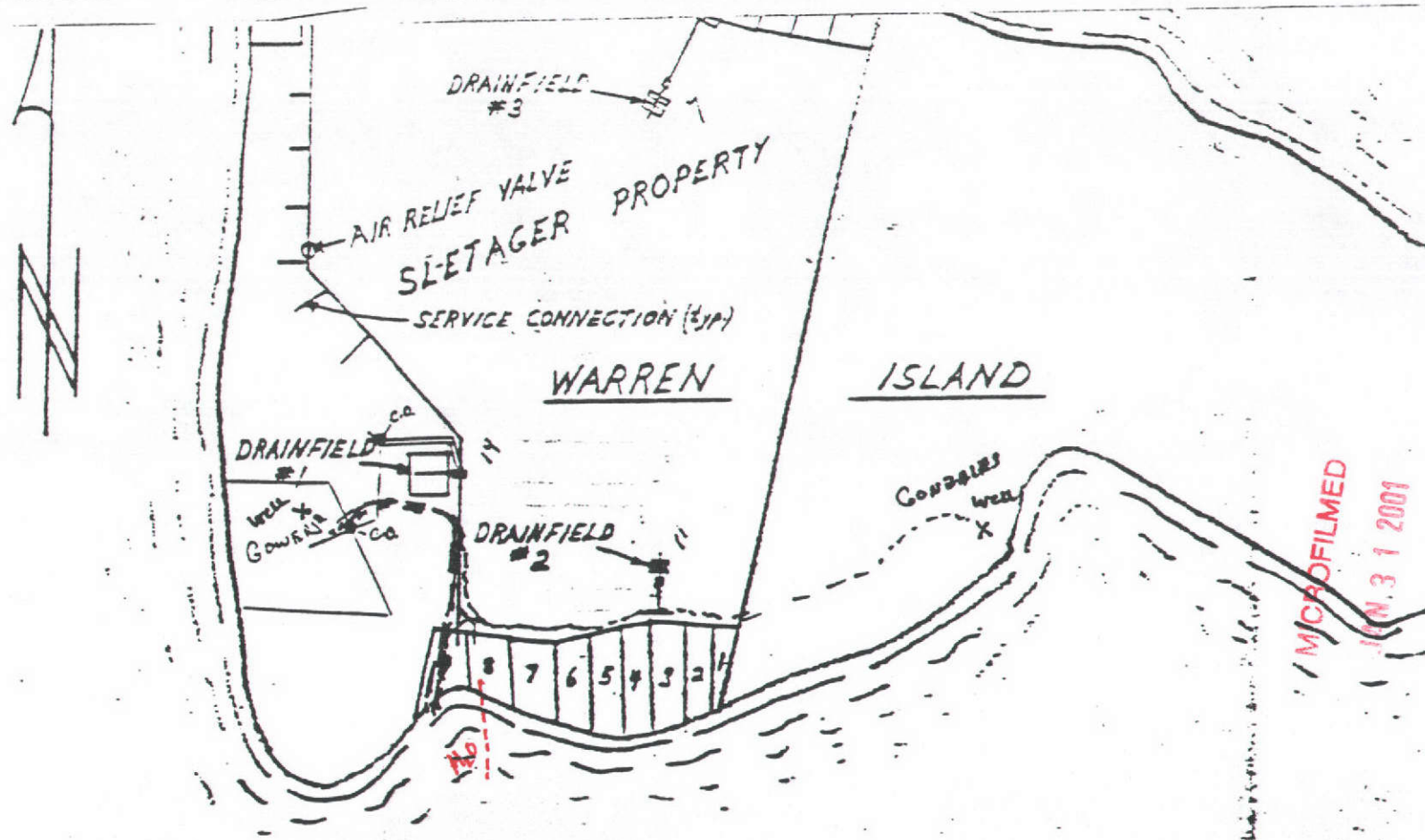




LOCATION MAP

1" = 400'

--- ACCESS ROUTE

MICROFILMED
JUN 31 2001

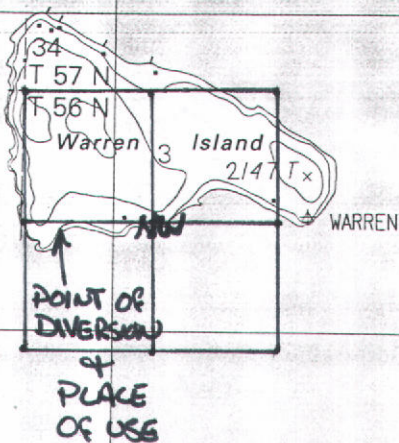
Mile
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(200)

Q8
BM 2076

Hope

BM
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BM
2092



Cottage
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Picard
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2074AT

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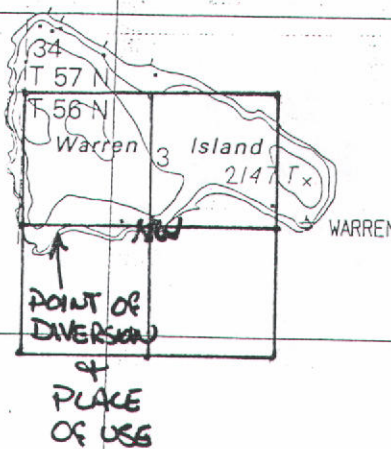
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96-09041

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96-09041

MICROFILMED

FEB 25 2002

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Cindy Zimmerman on 6/25/00

No. 96-9041 Name: Lauber Corp. Officers _____ Ad ok ☒ **NEED TO CHECK Govt Lots ?**

AREA OF CONCERN: No/Yes _____ Moratorium _____ GWMA _____ ~~TRUST/NON-TRUST~~

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
-WMD
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 07/01/01

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
≤ 1 yr - **P16**
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response None
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE _____
In-stream development - **P52**
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

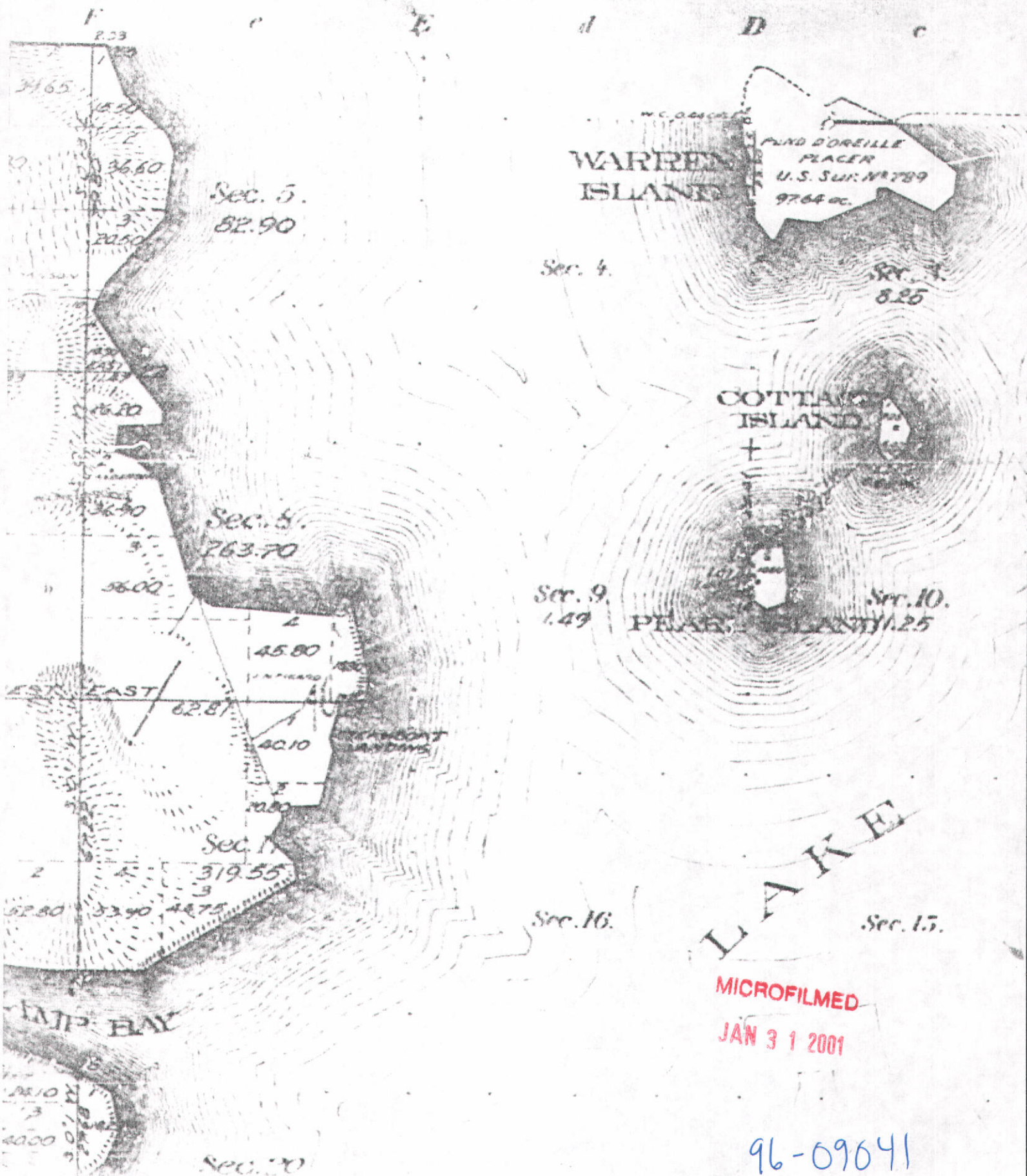
POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
> 1 in restricted area - 070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per 1/4 - W32
Subd lot desc (pd) - W59 LT8, B3, Wasoona ls.
Subd lot desc (pu) - W60 LT8, B3, Wasoona ls.
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON _____ - _____ (Per updated map)

OTHER CONDITIONS/REMARKS wa/i
COMMENTS _____

56 North, Range N°1 East of the



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09041

Priority: November 15, 1999

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that DAVE LAUBER And KELLY LAUBER
PO BOX 428
HOPE ID 83836 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 15, 1999; and have
submitted Proof of Beneficial Use on June 25, 2001. An examination indicates that the works have a
diversion capacity of 0.03 cfs of water from:

SOURCE

LAKE PEND OREILLE

Tributary: PEND OREILLE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

LAKE PEND OREILLE SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp 56N, Rge 01E, B.M., BONNER County

PLACE OF USE: DOMESTIC

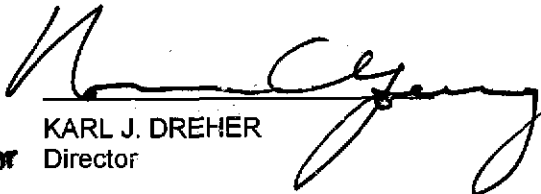
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	01E	3																	

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Point of diversion and place of use are located within Lot 8, BIK. 3, Wasoonta Island Subdivision.
3. Point of diversion and place of use are also known as Pend Oreille Placer, U.S. Survey No. 789.

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

Signed and sealed this 23RD day of NOVEMBER, 2001.


KARL J. DREHER
Acting for Director

MICROFILMED

FEB 25 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

JUN 25 2001

Department of Water Resources

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

1. Permit No. 96-09041 Telephone No. 404-931-8889 CELL
208 264-4105 home
2. Name of Permit Holder(s):
DAVID LAUBER, KELLY LAUBER
3. Mailing Address: 495 MOUNTAIN WAY NE
City ATLANTA State GA Zip 30342
4. Source of Water: LAKE PENN O'REILLE If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
☒ Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .03 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No _____
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: DAVID LAUBER Telephone Number: (404) 931-8889 (CELL)
Address: 495 MOUNTAIN WAY NE, ATLANTA GA 30342
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: [Signature]
(include your title, if on behalf of company or organization)

Date: 6/20/01

MICROFILME

JUN 25 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09041

Priority: November 15, 1999

Maximum Diversion Rate:

0.03 CFS

This is to certify, that DAVE LAUBER
KELLY LAUBER
76 LAUREL FOREST CIR
ATLANTA GA 30342

has applied for a permit to appropriate water from:

PEND OREILLE LAKE

tributary of PEND OREILLE RIVER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 3, Township 56N, Range 01E
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 01E 3

SWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before July 1, 2001.
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Point of diversion and place of use are located within Lot 8, Blk. 3, Wasoonta Island Subdivision.
5. Domestic use is for 1 home.
6. Point of diversion and place of use are also known as Pend Oreille Placer, U.S. Survey No. 789.

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

29th day of June, 2000.

Karl J. Dreher
for Karl J. Dreher, Director

MICROFILMED

JAN 31 2001

96-09041

PEII 404-931-8889

HOME 404-264-0338

RECEIVED

MAY 22 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

- Name of Applicant Dave and Kelly Lauber Phone _____
Mailing address 76 Laurel Forest Circle Atlanta, Georgia 30342
- Source of water supply Pend Oreille Lake which is a tributary of Columbia River
- Location of point of diversion is Township 56N Range 1E Sec. 3 in the SW 1/4, NW 1/4, Govt. Lot #8 Blk. #3, B.M., Wasoonta Island Bonner County; additional points of diversion if any: Lake Pend Oreille
- Water will be used for the following purposes:
 Amount .03 CFS for Domestic purposes from 11/10/98 to 12/31 (both dates inclusive)
 (cfs or acre-feet per annum) Continuous
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) .03 C.F.S. and/or (b) _____
 cubic feet per second acre feet per annum
- Proposed diverting works:
 - Describe type and size of devices used to divert water from the source Lake Pend Oreille
Pumped by submersible pump, 1 1/4" line for domestic use.
 - Height of storage dam N.A. feet; active reservoir capacity Lake Pend Oreille acre-feet; total reservoir capacity _____ acre-feet
 - Proposed well diameter is N.A. inches; proposed depth of well is N.A. feet
 - Is ground water with a temperature of greater than 85°F being sought? No
 - If well is already drilled, when? N.A.; Drilling firm N.A.
 Well was drilled for (well owner) N.A.; Drilling Permit No. N.A.
- Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
- 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. 1 Household
 - Other; describe fully. _____

MICROFILMED
JAN 31 2001

8. 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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56W	1E	3							D										

Total number of acres to be irrigated N.A.

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? N.A. DOL & Applicant

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

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: _____

DOMESTIC HOME USE

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

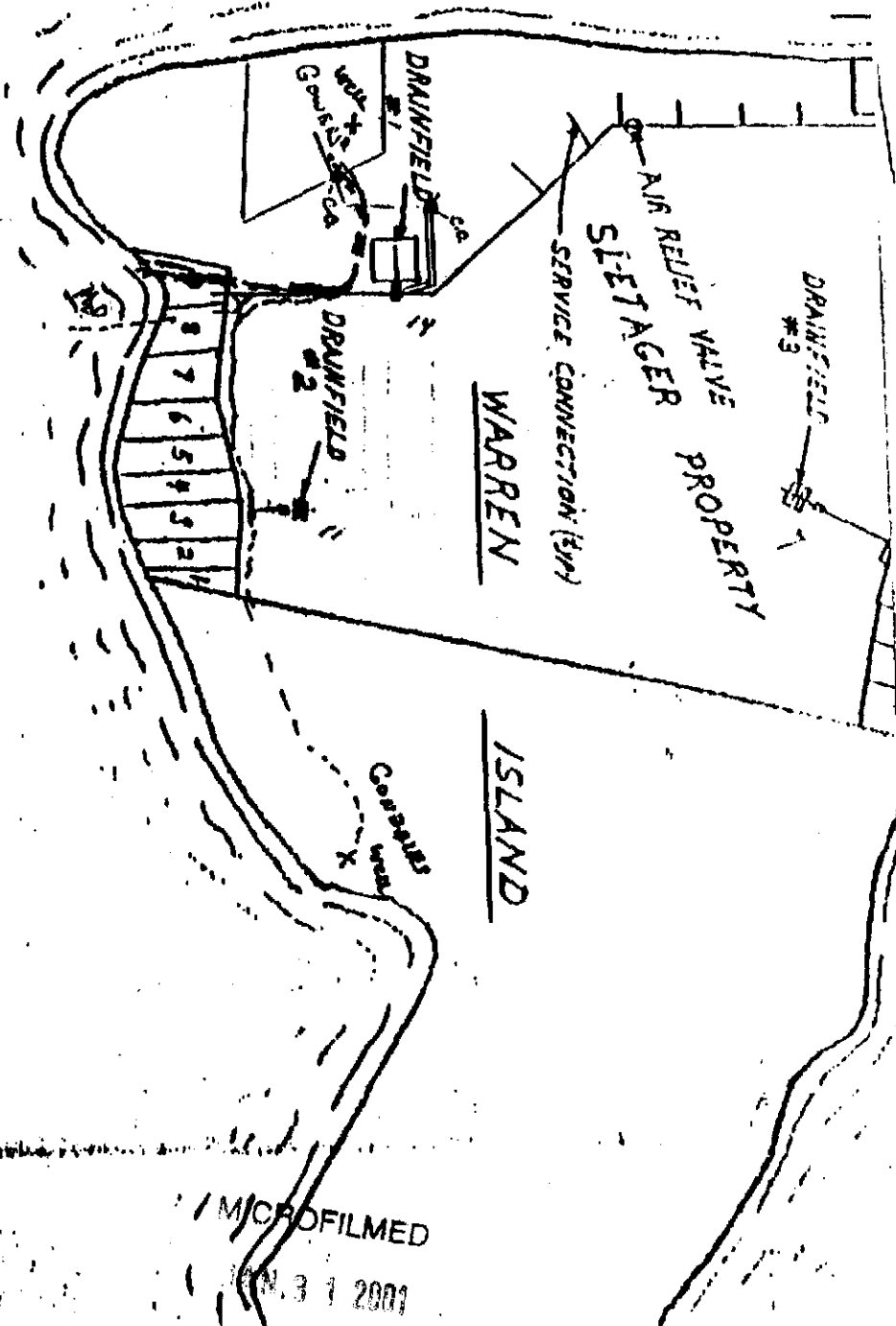
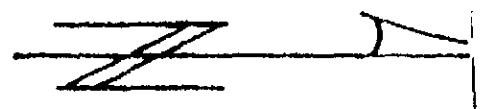
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.



Signature of Applicant (and title, if applicable)

Received by [Signature] Date 11/15/99 Time 1:20p Preliminary check by [Signature]
 Fee \$ 50.00 Received by [Signature] # NO 13350 Date 11/15/99
 Publication prepared by [Signature] Date 2/24/00 Published in Bonner Co Daily Bee 3/24/00
 Publication approved [Signature] Date 4/4/00

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JAN 31 2001



LOCATION MAP

1" = 400'

Access Route

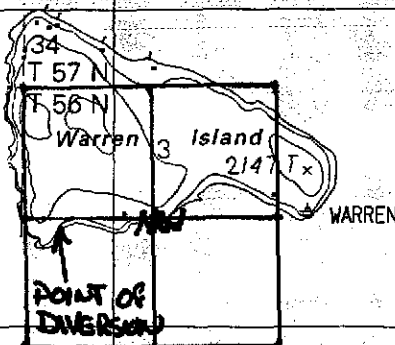
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Memaloose
Island

MEMALOOSE
2091

INDEFINITE

BOUNDARY

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JAN 31 2001

T. 56 N



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

November 26, 2001

DAVE LAUBER
KELLY LAUBER
PO BOX 428
HOPE ID 83836

RE: License No. 96-9041 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

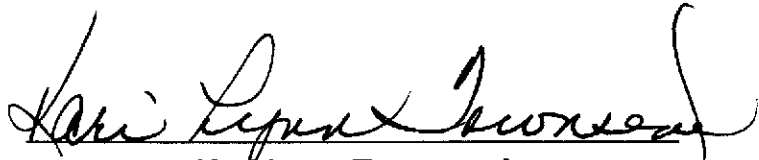
MICROFILMED
FEB 25 2002

CERTIFICATE OF MAILING

I hereby certify that on November 26, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 96-9041

DAVE LAUBER
KELLY LAUBER
PO BOX 428
HOPE ID 83836

A handwritten signature in black ink, reading "Kari Lynn Townsend". The signature is written in a cursive style with a horizontal line underneath the name.

Kari Lynn Townsend
Secretary

MICROFILMED

FEB 25 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).

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.

LICENSE REVIEW CHECKLIST

Permit No. 96-9041

Date: 11-19-01

Reviewer: Kay Walker

Change/OK

Name/Address

change per exam

Source

Point of Diversion:

✓

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

✓

Change (P41/P49) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.03 cfs

Fee Limit _____ cfs

Measured 0.03 cfs

Theoretical _____ cfs

Recommended Total Diversion Rate 0.03

Water Uses

✓ Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af

Stockwater _____ cfs _____ af

Domestic 0.03 cfs 1.2 af

_____ cfs _____ af

_____ cfs _____ af

Total 0.03 cfs 1.2 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

Additional Conditions

_____ Watermaster Control

_____ GW Measurement/Measuring Device

_____ Other

Trust R55 - remove 051)

Non-trust (048/049)

GW Dist? _____

Water Msmt. Dist? _____

Crit. GWMA? _____

GWMA? _____

Government Lots? _____

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim? N/A

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 3 - 2001 *K*

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-09041

1. Owner: David & Kelly Leuber Phone No. (208) 264-4105

Current Address: PO Box 428 Hope Id. 83836

2. Accompanied by: David Kelly EXAM DATE: 9-18-01

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Pond Creille Lake tributary to Pond Creille River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	03	56N	01E	Bonner	USGS 7.5 min Quad

2. Place(s) of Use:

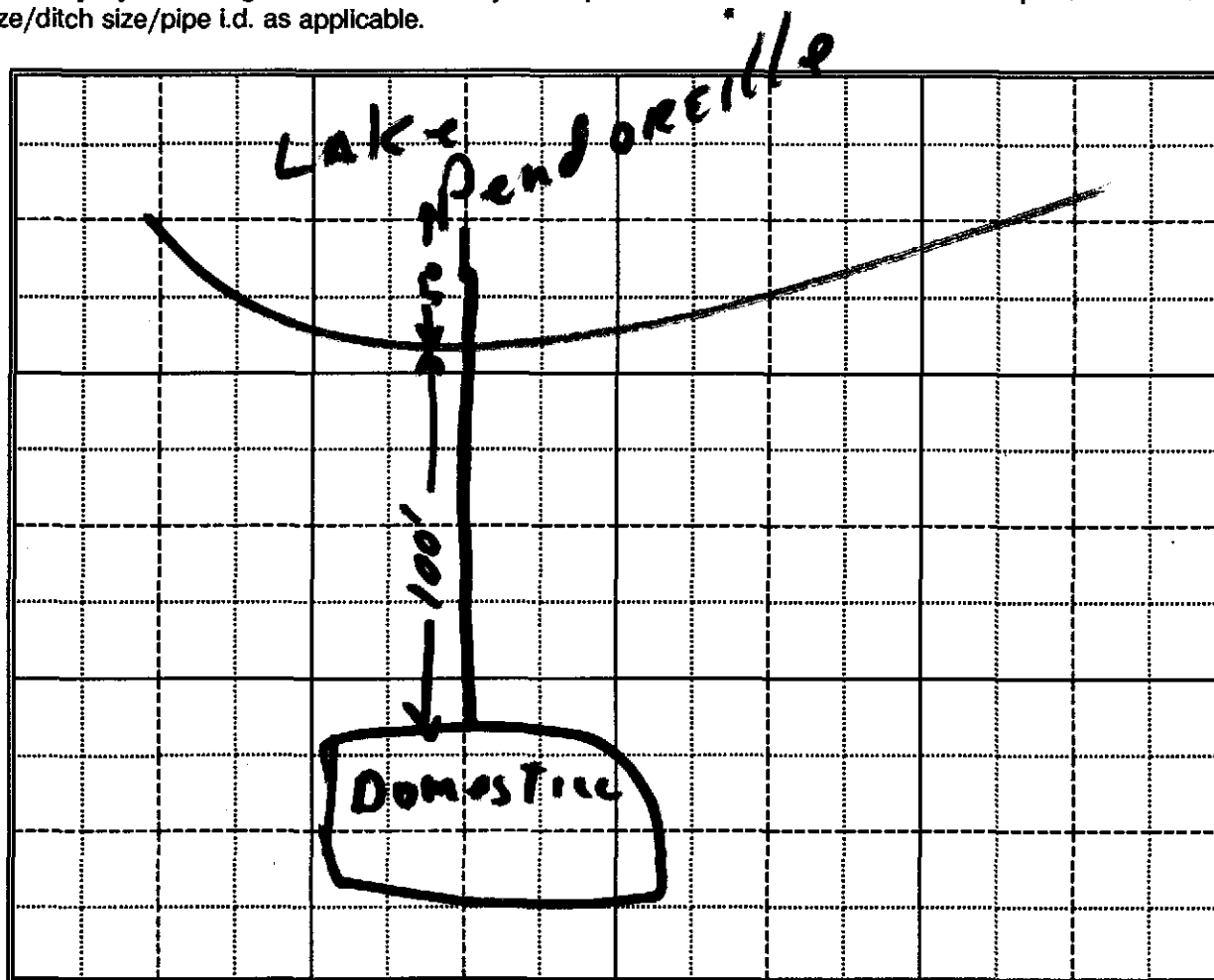
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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FEB 25 2002

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



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	.5	2801054915	Sub	1"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

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FEB 25 2002

E. NARRATIVE/REMARKS/COMMENTS

Lined area for narrative/remarks/comments.

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

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FEB 25 2002

F. FLOW CALCULATIONS

Measured Method:

Theoretical

Additional Computation Sheets Attached

$$\frac{8.8(.5)(.7)}{25 + (2.31 \times 40)} = \frac{3.08}{117.4} = .03 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>01-01</i>	<i>12-31</i>	<i>.03</i>	<i>1.2</i>
Totals:			<i>.03</i>	<i>1.2</i>

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 Wayne Baldwin Date 9-27-01

Reviewer _____ Date _____

SEAL

MICROFILMED

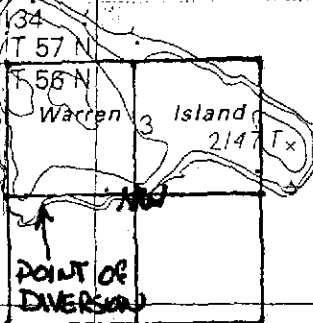
FEB 2002

Mile
130

Q8
BM 2076

Hope

BM
2085
ELLIS
BM
2092



PLACE
OF USE

Cottage
Island
2088 T

Hope Point
DWENS

96-09041

Pearl
Island
Lighthouse
2086 T
PEARL 2

Picard
Point

BEAVER

PICARD

Elliot

Bay

2074AT

Memaloose
Island

MEMALOOSE
2071

INDEFINITE

BOUNDARY

MICROFILMED

SEP 7 1982



PD

PV

96-09041

MICROFILMED

APR 95 1982



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

July 17, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID LAUBER
KELLY LAUBER
495 MOUNTAIN WAY NE
ATLANTA GA 30342

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-09041

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

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

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED
SEP 15 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 96-9041

Reviewed By: dgibson

Date: July 17, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		N013350, C054484	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		X

Priority Calculation

Date proof received		06/25/2001
Date proof due	-	07/01/2001
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	11/15/1999
New priority date	=	11/15/1999

Deficiencies of Actions Items

Acknowledge proof.

CERTIFIED MAIL RECEIPT

Domestic Mail Only; No Insurance

Article Sent To:

Diane Kauber

Postage

\$

Certified Fee

MICROFILMED

5/10/01

Return Receipt Fee
(Endorsement Required)

FEB 25 2002

Postmark
Here

dg

Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees

\$

Name (Please Print Clearly) (To be completed by mailer)

Kelly Kauber

Street, Apt. No.; or PO Box No.

P.O. Box 2995

City, State, ZIP+4

Park City, UT 84060-2995

7099 3220 0005 5178 5148

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of international mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and meter.

IMPORTANT: Save this receipt and present it when making an inquiry.

SENDER:

- Complete items 1 and/or additional services.
- Complete items 3, 4a, and
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also want to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

DAVE LAUBER
KELLY LAUBER
PO BOX 2995
PARK CITY UT

84060-2995

4a. Article Number

70993220000551785148

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☒ Certified |
| ☐ Express Mail | ☐ Insured |
| ☐ Return Receipt for Merchandise | ☐ COD |

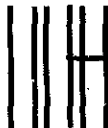
5. Date of Delivery**6. Addressee's Address (Only if requested and fee is paid)****5. Received By: (Print Name)**

DAVID LAUBER

6. Signature: (Addressee or Agent)

X *[Signature]*

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

RECEIVED

JUN - 4 2001

DEBORAH GIBSON
DEPARTMENT OF WATER RESOURCES
1801 N. ORCHARD ST.
BOISE, ID 83706-2237

Department of Water Resources

MICROFILMED
FEB 25 2002



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

CERTIFIED MAIL



7099 3220 0005 5178 5957

RECEIVED

96-9041

MAY - 9 2001

Department of Water Resources

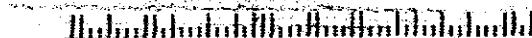
Resub 5/10/01. dy

MICROFILMED

FEB 25 2002

LAUB076 303422024 1600 08 05/05/01
RETURN TO SENDER
LAUBER
PO BOX 2995
PARK CITY UT 84060-2995
RETURN TO SENDER

83720-0098 22
30342-4106





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

April 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVE LAUBER
KELLY LAUBER
76 LAUREL FOREST CIR
ATLANTA, GA 30342

COPY

PROOF DUE NOTICE

RE: PERMIT NO. 96-9041

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 July 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

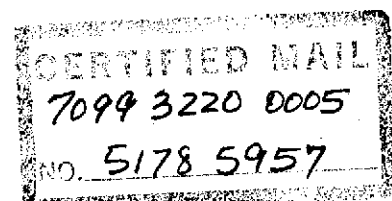
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

FEB 23 2001





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 30, 2000

DIRK KEMPTHORNE
GOVERNOR

DAVE LAUBER
KELLY LAUBER
76 LAUREL FOREST CIRCLE
ATLANTA GA 30342

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09041

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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 into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

SK:klt
Enclosures

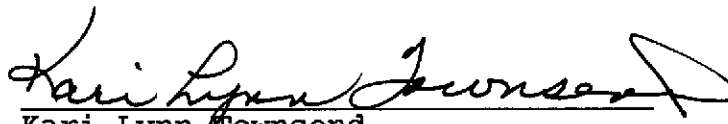
JAN 31 2001

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 96-09041

DAVE LAUBER
KELLY LAUBER
76 LAUREL FOREST CIR
ATLANTA GA 30342


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 31 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED

JAN 31 2001

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.

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Cindy Zimmerman on 6/25/00

No. 96-9041 Name: Lumber Corp. Officers _____ Ad ok ☒ **NEED TO CHECK
Govt Lots ?**

AREA OF CONCERN: ~~No/Yes~~ _____ Moratorium _____ GWMA ~~TRUST/NON-TRUST~~

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT

All wells - 046(P23)

Irr. w/in WD - P05

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104

Supp irr (+ other uses) - 100-105

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)

Mitigation - 121

42-248 Area - P84 (20s-70s, 81-86)

Swan Falls Flag - _____

Trust - 051(P74) (consumptive uses)

Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-NA

IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)

STOCKWATER - R37 (BLM/USFS)

MINING - 054-081(P10)

FISH PROP - 029(70'S only)-007-042-081(P10)

HEAT/COOL - R07(injection well)

FIRE PROT. - 077

SURFACE WATER: (√Flow Chart)

F&G contacted - Yes/No Response None

In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

In-stream development - P32

WD - R04 (WD# _____)

≤ 0.20 cfs/others - 01H(P01), 01P or No MD

> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A

(02,03) - 007 (w/ remark WB9 if above Weiser)

Payette R (65) - 047(P04) (Payette Lake)

Salmon R (70's) - 029 (fish screens)

Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)

MUNICIPAL

Restricted area - 022,075

Irr., GW supp to SW - 102

DOMESTIC

Surface water - WB5 (Big Wood or Boise above Star Bridge)

27A (Payette R)

>1 in restricted area - 070-071-075(no parks/common areas, etc)

Irr use listed separate - WB5

Moratorium approvable - W03 (2500 gpd - meets domestic definition

i.e. D/convenience store)

BENEFICIAL USE DUE: 07/01/01

MISC CONDITIONS/REMARKS:

Protested - 020-W19

Development Period

≤ 1 yr

> 1 yr

Ownership

Non-consumptive

Water Quality

P16

- 26A(P17)

- 004

- 027

- 081-R07

Multiple pd's per 1/4

Subd lot desc (pd)

Subd lot desc (pro)

Use definitions

Pre-1987 development

Single p/d intended

- W32

- W59 LT8, B3, Waseona ls.

- W60 LT8, B3, Waseona ls.

- W02 example - S/50 range

- 068-074 (allow 120 days for proof due)

- 076

IRRIGATION SEASON _____ - _____ (Per updated map)

OTHER CONDITIONS/REMARKS

COMMENTS

W03/1

WR5809NP
No. P96-09041

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/28/00
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVE LAUBER	11/15/1999	DOMESTIC	01/01 12/31	0.030 CFS	
C	KELLY LAUBER					
	76 LAUREL FOREST CIR			TOTAL DIVERSION:	0.030 CFS	
	ATLANTA GA 30342					
	(404) 264-0338					

Water Source: PEND OREILLE LAKE

Tributary to: PEND OREILLE RIVER

Stage: PERMIT

Point(s) of Diversion: T56N R01E S03 SWNW BONNER County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
56N	01E	3	:					D										:

Pou County: BONNER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

96-08789 96-08955 96-09041

Conditions of Approval:

- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: GEN Point of diversion and place of use are located within Lot 8,
Blk. 3, Wasoonta Island Subdivision.
Domestic use is for 1 home.

Dates: App. Received: 11/15/1999 Priority Date: 11/15/1999
Proof Due Date: 07/01/2001 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 02/15/2000 User-ID: DBALL Subject: Examiner's notes.
Submersible pump, 1-1/4" pipe.
POD owned by Department of Lands and Applicant. Encroachment
permit to be applied for.

Date: 06/28/2000 User-ID: CZIMMERM Subject: APPLICATION REVIEW
PLEASE CHECK GOV LOTS PRIOR TO ISSUING PERMIT.
PARAGRAPH CODES: P52, P16.

Audit: 06/28/00 CZIMMERM

2.23

36.60

36.80

36.00

45.00

40.10

30.00

Sec. 5.

82.90

Sec. 4.

8.25

Sec. 9.

1.49

Sec. 10.

1.25

Sec. 16.

Sec. 15.

WARREN ISLAND

COTTAGE ISLAND

PLACER

LAKE

EST. EAST

62.87

LAKE BAY

LAKE

MICROFILMED

JAN 31 2001

96-09641

PERO D'OREILLE
PLACER
U.S. SUR. N° 789
9764 DC.

825

Mr. 10.
Y/25

PAGE

LAKE

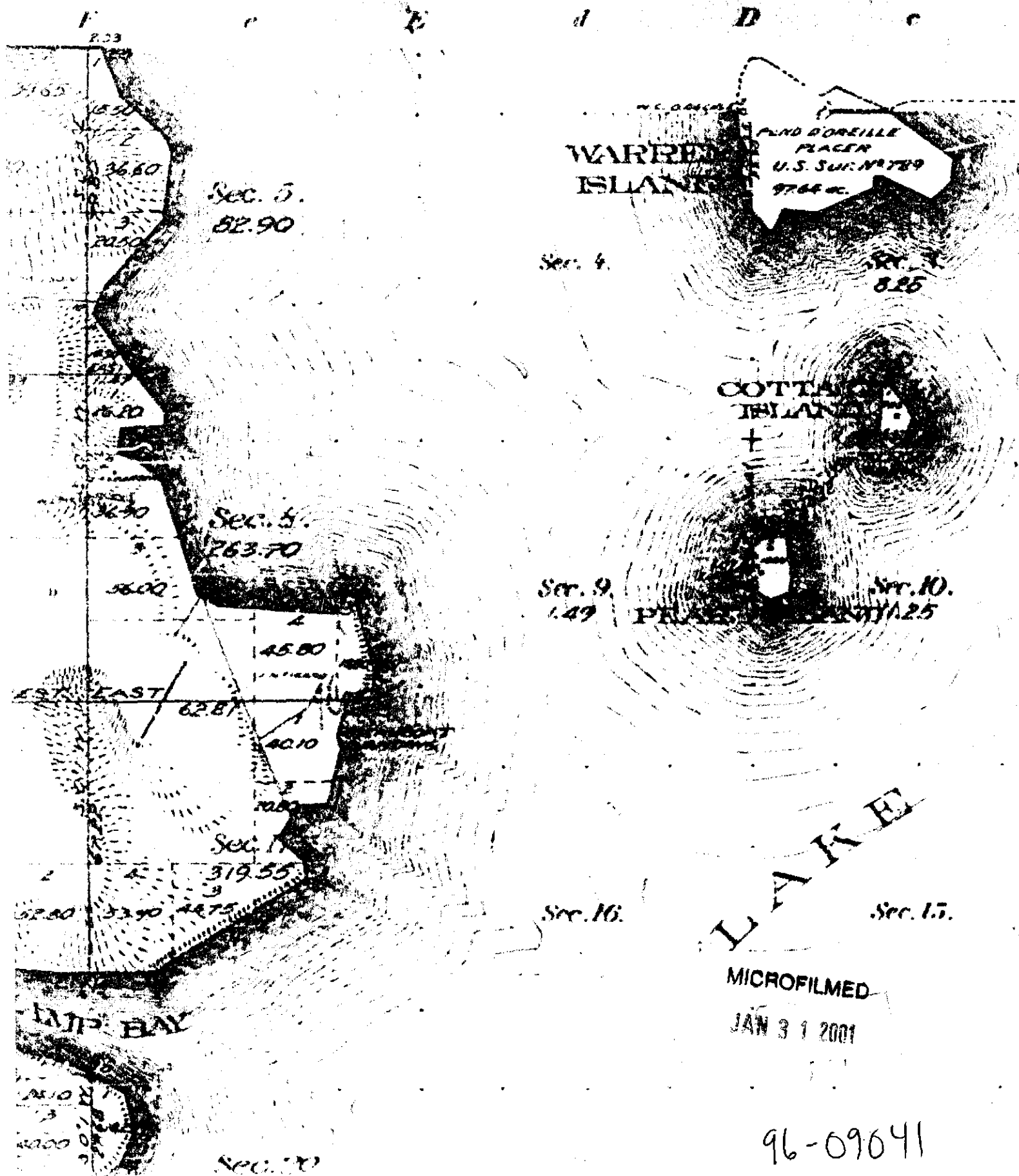
Sec. 1.5

MICROFILMED

JAN 31 2001

96-09641

1956 North Range No 1 East of the



RECEIVED

MAY 22 2000

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

WRI
BCA
WRA

Department of Water Resources

APPLICATION # 96-0904/
INITIAL REVIEW

APPLICANT: LAUBER BY: TS DATE: 11/15/99

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes) (No)

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

PROCESSING

(Yes) (No) PRIORITY DATE: 11/15/99X (Include Moratorium Remark)

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

bc/plura/ak

ADVERTISE IN: BONNER County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

GROUNDWATER SECTION					
WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?	
<u>1</u>	Dom. Non-Dom.	Paid \$		Y () N ()	
<u>1</u>	Dom. Non-Dom.	Paid \$		Y () N ()	
<u>1</u>	Dom. Non-Dom.	Paid \$		Y () N ()	

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- 4/14 Notice of pending void order issued. Final order response date: 3/20/00
- 4/14 Further information required from applicant
- 4/14 Affidavit of publication received
- 2/21 Application published correctly. If not, record action taken: _____
- 4/14 Publication dates and paper recorded on application | Sr. Agent initial TS
- 4/14 Protests received, Final protest date: 3/20/00
- 4/14 Measuring device required
- 4/14 Measuring port required
- 4/14 Special conditions:
- 4/14 Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: TSDate: 5/16/00

Ball, Dianne

From: Ball, Dianne
Sent: Friday, March 03, 2000 10:56 AM
To: 'Chip Corsi'
Subject: perweek2.txt



perweek2.txt.url

Hi, Chip. This is another one (LAUBER- 96-09041) on which we need your comments, but the final protest date on this one is not until March 20, 2000.

Although we would appreciate hearing from you either way, if we don't hear from you by that date, we will assume that you have no reason for protest.

Thanks, Dianne.

<http://www.idwr.state.id.us/info/water/rights/perweek2.txt>

MICROFILMED
JAN 31 2001

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sherilyn Pluck being first duly sworn on oath
deposes and says that he/she is BOOKKEEPER
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

App for Water Rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 2 day of Mar, 1900
and ending on the 9 day of Mar, 1900
and that said notice was published in said newspaper.

On this 9 day of Mar in the year
of 2000, before me, a Notary Public, personally
appeared Sherilyn Pluck
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

Carolyn L. Sage
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 7/00

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
96-09041

LAUBER, DAVE
LAUBER, KELLY
76 LAUREL FOREST CIRCLE
ATLANTA, GA 30342
Source: PEND OREILLE LAKE
Tributary: PEND OREILLE RIVER
Diversion Pt: SWNW Sec 3 T 56N R
01E in BONNER County.
Use: DOMESTIC (0.030 CFS)
Total Diversion: (0.030 CFS)
Date Filed: 11/15/1999
In: BONNER County
T56N R01E S03 SWNW

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

The permit(s) will be subject to
all prior water rights. Protests must
be filed with the applicant and with
the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with
a protest fee of \$25.00 on or before
MARCH 20, 2000.

KARL J. DREHER, Director
Legal SNP#1605
March 2, 9, 2000

sk

RECEIVED

APR 04 2000

IDWR/North

MICROFILMED

JAN 21 2001

1605



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FEBRUARY 24, 2000

Legal Notices Department
BONNER COUNTY DAILY BEE
P O BOX 159
SANDPOINT, ID 83864

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 20, 2000.

Yours truly,

Dianne Ball
DIANNE BALL
Administrative Assistant

Enclosure

Shank
ok
2/24/00

MICROFILMED

JAN 21 2001

Post-it* Fax Note	7671	Date	2/24/00	# of pages	4
To	Legal Notices	From	Dianne Ball		
Co/Dept.	Bonner Co Daily Bee	Co.	Dept of Water Res.		
Phone #	(208) 263-9534	Phone #	208 769 1450*		
Fax #	263 9091	Fax #	769-1454		

*Please call to acknowledge receipt

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JAN 31 2001

96-09041

LAUBER, DAVE
LAUBER, KELLY
76 LAUREL FOREST CIRCLE
ATLANTA, GA 30342

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: SWNW Sec 3 T 56N R 01E in BONNER County.

Use: DOMESTIC	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)

Date Filed: 11/15/1999

In: BONNER County
 T56N R01E S03 SWNW

MICROFILMED

JAN 3 1 2001

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d' Alene, Idaho 83814, together with a protest fee of \$25.00 on or before MARCH 20, 2000.

KARL J. DREHER, Director

Published: 3/ 2/2000 & 3/ 9/2000

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JAN 31 2001

96-09041

LAUBER, DAVE
LAUBER, KELLY
76 LAUREL FOREST CIRCLE
ATLANTA, GA 30342

Source: PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

Diversion Pt: SWNW Sec 3 T 56N R 01E in BONNER County.

Use: DOMESTIC	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)

Date Filed: 11/15/1999

In: BONNER County	
T56N R01E S03	SWNW

MICROFILMED

JAN 31 2001

February 24, 2000

Dave and Kelly Lauber
76 Laural Forest Circle
Atlanta GA 30342

Re: Water Appropriation Application No. 96-09041

Dear Mr. and Mrs. Lauber:

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. Enclosed for your file is Receipt Number NO13350.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

MICROFILMED

JAN 31 2001

WR0749NP
No. 96-09041

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/15/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAVE LAUBER	11/15/1999	DOMESTIC	01/01 12/31	0.030 CFS	
C	KELLY LAUBER					
	76 LAUREL FOREST CIRCLE			TOTAL DIVERSION:	0.030 CFS	
	ATLANTA GA 30342					
	(404) 264-0338					

Water Source: PEND OREILLE LAKE

Tributary to: PEND OREILLE RIVER

Stage: APPLICATION

Point(s) of Diversion: T56N R01E S03 SWNW BONNER County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:
56N	01E	3	:					:			D		:					:					:

Pou County: BONNER

Remarks: GEN Domestic use is for 1 home.

Dates: App. Received: 11/15/1999 Priority Date: 11/15/1999
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 02/15/2000 User-ID: DBALL Subject: Examiner's notes.
Submersible pump, 1-1/4" pipe.
POD owned by Department of Lands and Applicant. Encroachment
permit to be applied for.
Time required 1 year.

Audit: 02/15/00 DBALL