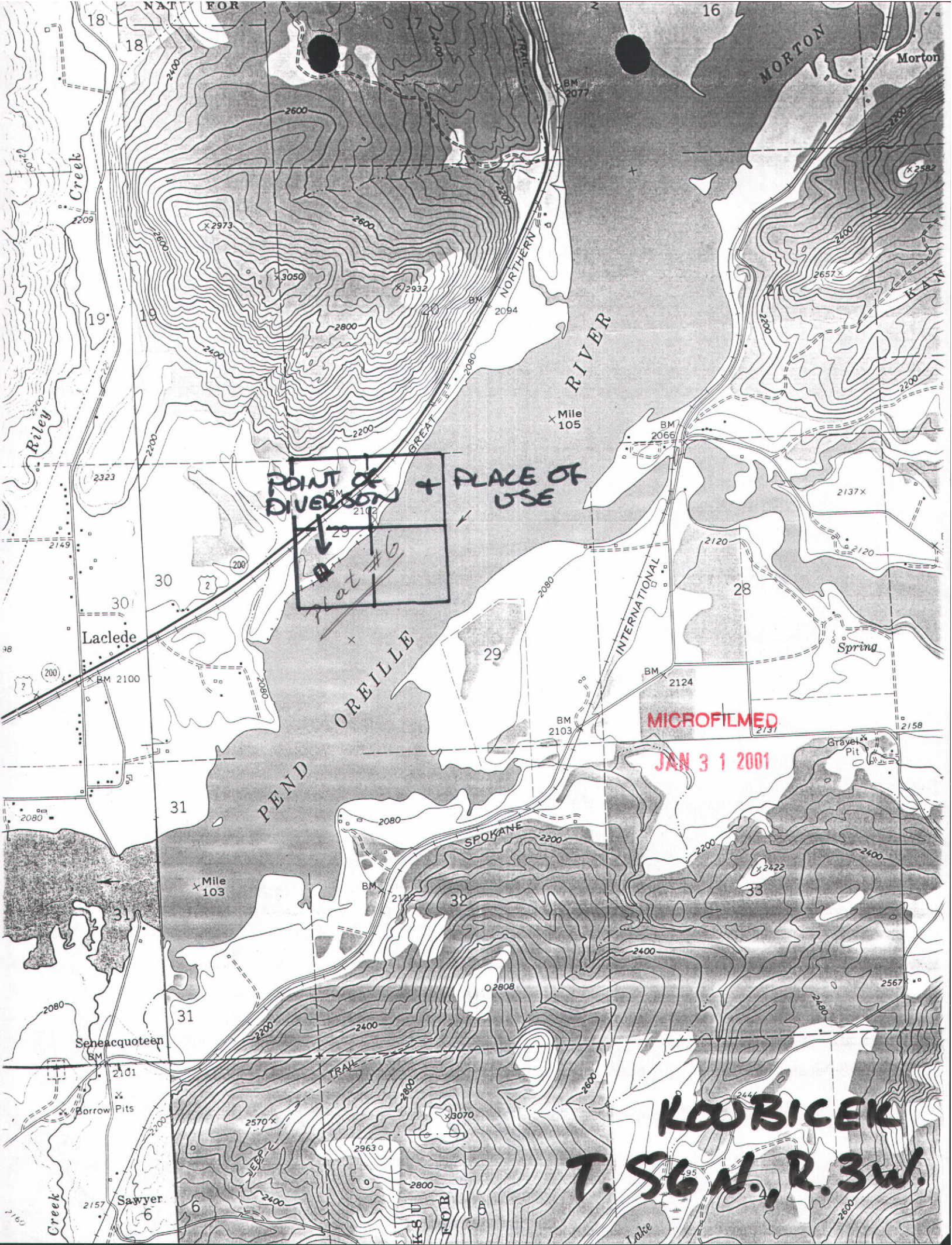




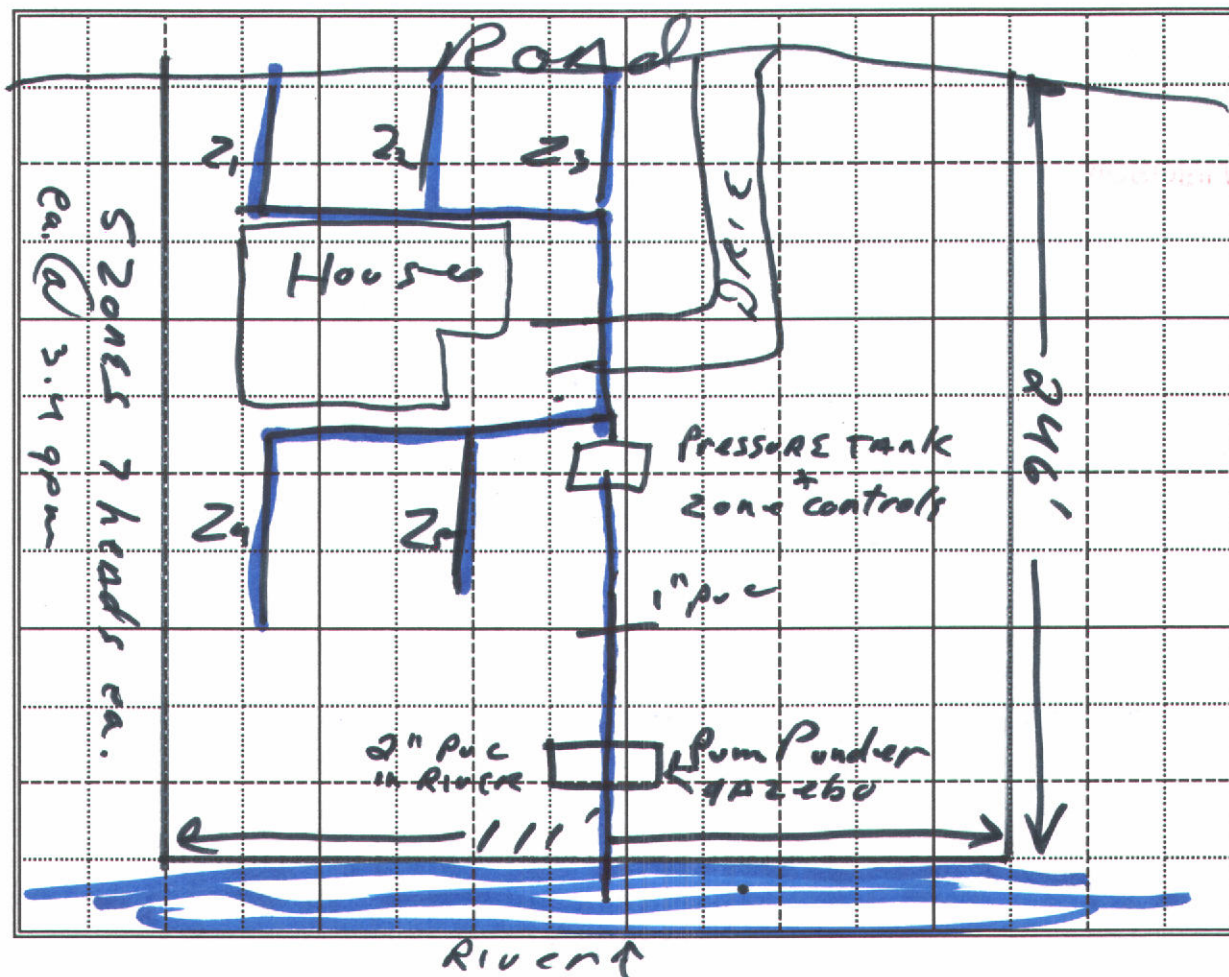
POINT OF DIVERSION + PLACE OF USE

Flat #6

MICROFILMED
JAN 31 2001

KOURBICEK
T. 56 N., R. 3 W.

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
	Red Jacket	2		Red Jacket	202R698

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

D. FLOW MEASUREMENTS

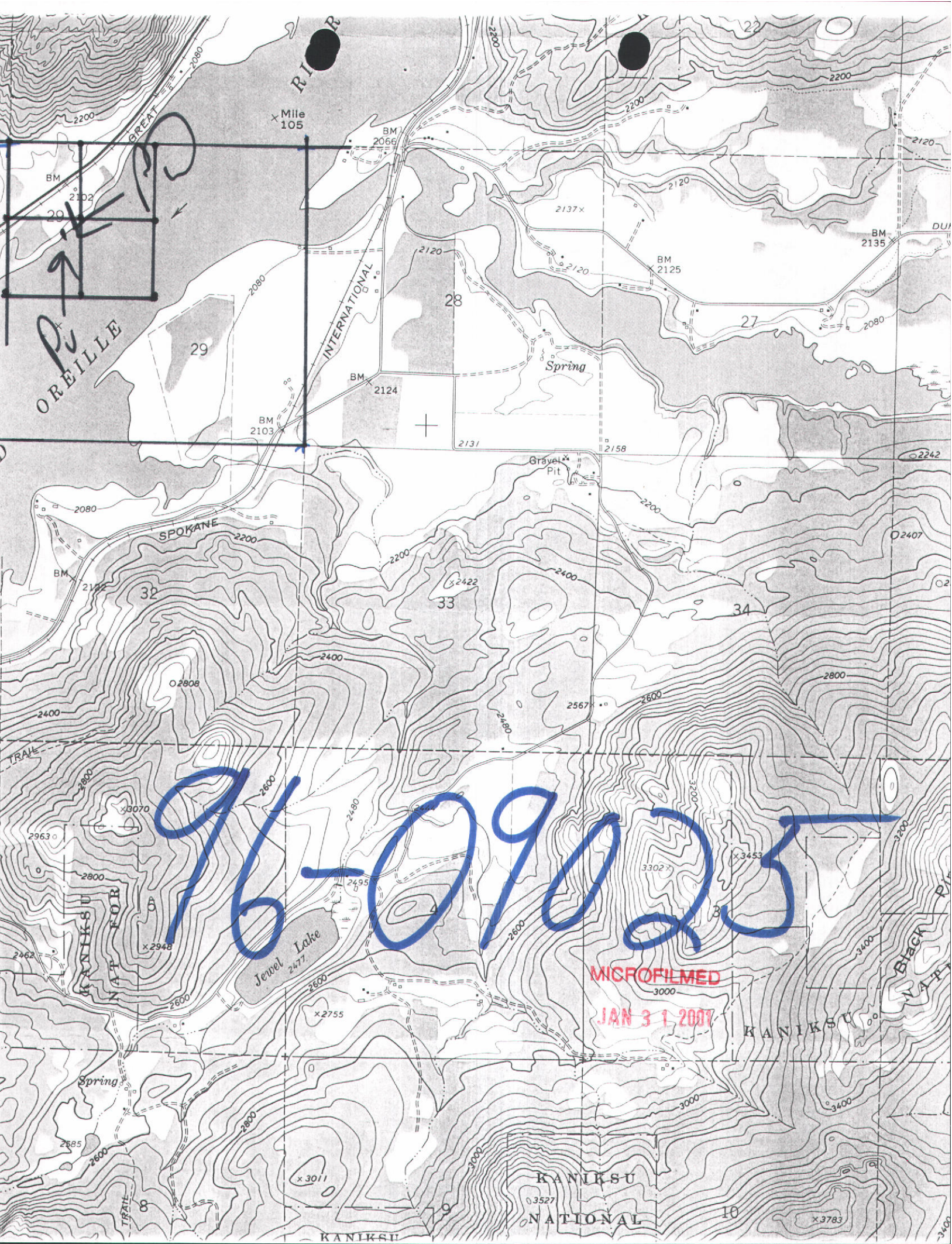
1.

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

2. Measurements: _____

MICROFILMED

JAN 9 1 2004



RIVER

Mile 105

OREILLE

INTERNATIONAL

SPOKANE

Jewel Lake

KANIKSU
NATIONAL

96-09025

MICROFILMED
JAN 31 2007

96-09025



Pump



Pressure tank



Back & Front



ED
01

PERMIT # 96-09025

96-09025



Pump



Pressure tank



Back + Front

MICROFILMED

JAN 31 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09025

Priority: August 17, 1999

Maximum Diversion Rate:

0.05 CFS

Maximum Diversion Volume:

1.5 AF

This is to certify, that ALEXANDER KOUBICEK
BLANKA KOUBICEK

PO BOX 0039

LACLEDE ID 83841

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 17, 1999; and has submitted Proof of Beneficial Use on March 31, 2000. An examination indicates that the works have a diversion capacity of 0.050 cfs of water from:

PEND OREILLE RIVER

tributary to COLUMBIA RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.05 CFS	1.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SWNW), Sec. 29, Township 56N, Range 03W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
56N	03W	29	Lot 2 (SWNW)	0.5		0.5

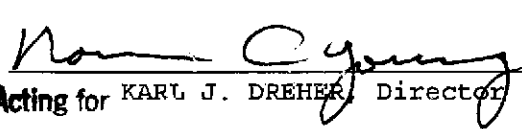
Total number of acres irrigated: 0.5

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.05 cfs nor more than 1.5 afa at the field headgate for irrigation of the land described above.

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 29th day of

JUNE, 2000.


Acting for KARL J. DREHER, Director

MICROFILMED

JAN 31 2001

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No. 2048653
 Receipt By: G. M. ...
 Date Received: 3-31-00

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 31 2000

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 96- 09025 Telephone No. /208/263-0556
2. Name of Permit Holder(s): Alexander and Blanka Koubicek
3. Mailing Address: P.O.Box 0039
City Laclede State ID Zip 83841
4. Source of Water: Pend Oreille River 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): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): less than 1 Other: none
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 50.- (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Alexander Koubicek Telephone Number: /208/ 263-0556
Address: P.O.Box 0039 - Laclede - Idaho - 83841 (River Birch Road # 209
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:

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

Date: MAR. 29. 2000

MICROFILMED

JAN 31 2001

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 96-09025

Priority: August 17, 1999

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **ALEXANDER KOUBICEK**
PO BOX 0039
LACLEDE ID 83841

has applied for a permit to appropriate water from:

PEND OREILLE RIVER

tributary of **COLUMBIA RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 10/31

0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 29, Township 56N, Range 03W
BONNER County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

56N 03W 29

SWNW 1.0

1.0

Total number of acres irrigated:

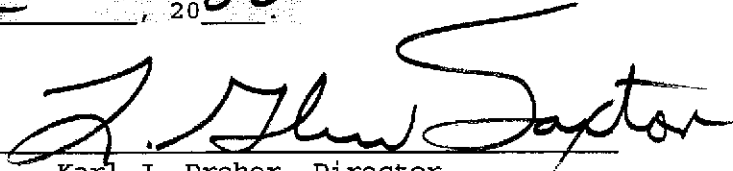
1.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **January 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. This right when combined with all other rights shall provide no more than 0.06 cfs nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.

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

23 day of March, 2000


Karl J. Dreher, Director
for

MICROFILMED

JAN 31 2001

RECEIVED

DEC 9 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant ALEXANDER KUBICKER Phone 263-0556
Mailing address PO Box 0039 LALLEDE ID 83841
2. Source of water supply PENA ORIELLE RIVER which is a tributary of COLUMBIA RIVER
3. Location of point of diversion is Township S6N Range 3W Sec. 29, in the 1/4,
SW 1/4, NW 1/4, Govt. Lot _____, B.M., BONNER County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | |
|--|------------------------------|
| Amount <u>0.06</u> for <u>IRRIGATION</u> purposes from <u>3/15</u> to <u>7/15</u> (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) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) | (cfs or acre-feet per annum) |
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source PUMP IN RIVER - 2 H.P.
& SPRINKLER SYSTEM.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity X acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? X; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
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. _____

MICROFILMED

JAN 31 2001

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	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	
2N	3W	29							1										1

Total number of acres to be irrigated 1

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? APPLICANT/STATE OF IDAHO

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: ENCROACHMENT PERMIT L-96-S-576

12. Remarks: WPA NO. 071-0YC-2-003694

A HIGHER RATE OF STANDARD DIVERSION IS REQUESTED TO ALLOW OPERATION OF THE EXISTING AUTOMATIC SPRINKLER SYSTEM AND LANDSCAPING/IRRIGATION REQUIREMENTS.

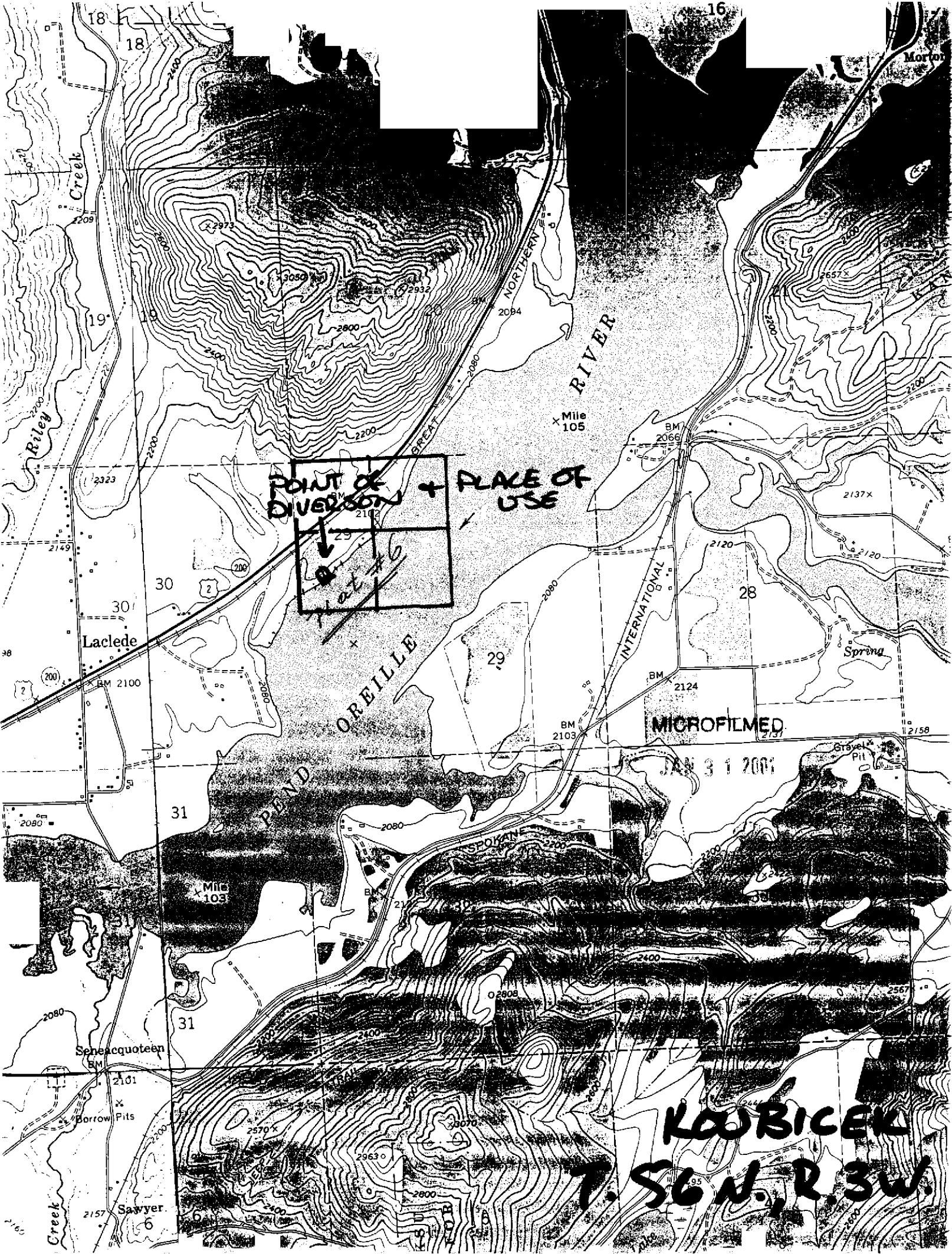
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is ~~REQUIRED~~ OPTIONAL)

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]

Signature of Applicant (and title, if applicable)

Received by AB Date 8/17/99 Time 11:15 Preliminary check by AB
 Fee \$ 50 Received by AB # 0013158 Date 8/17/99
 Publication prepared by AB Date 8/25/99 Published in Post River Times 9/1 + 8/99
 Publication approved AB Date 10/19/99



POINT OF DIVERSION + PLACE OF USE

MICROFILMED

JAN 31 2001

KOUBICEK
T. 56 N., R. 3 W.



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 29, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALEXANDER KOUBICEK
BLANKA KOUBICEK
PO BOX 0039
LACLEDE ID 83841

RE: WATER RIGHT NO. 96-09025

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

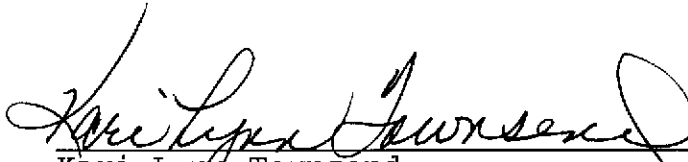
JAN 31 2001

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of June, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 96-09025

ALEXANDER KOUBICEK
BLANKA KOUBICEK
PO BOX 0039
LACLEDE ID 83841


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).

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JAN 31 2004

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.

MICROFILMED

JAN 31 2001

SD-0420-2
ADD COMMENT

Idaho Department of Water Resources
Modify Comment

Date: 06/27/00
Time: 13:07:55

Water Right Number: L96-09025

Comment Date: 6/27/2000 User ID: SKEEN

Subject: License Review_____

Licensing review and data entry by S. Keen on 6/27/2000. Added____
govt. lot 2 to point of diversion and place of use descriptions._

(Enter=Add) (Gold4=Prev) (Gold5=Next) (Gold7=Return to Comment Selection)

MICROFILMED

JAN 31 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 22 2000

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 96-09025

1. Owner: Alexander & Blanka Koubrick Phone No. (208) 263-0556

Current Address: P.O. Box 0039 Laclede Id. 83841

2. Accompanied by: Alexander Koubrick EXAM DATE: 5-30-00

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Pend Oreille River tributary to Columbia River

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NW	29	56N	03W	Bonner	USGS 7.5min 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	
56N	03W	29																	

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JAN 31 2001

2. Measurements:

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

D. FLOW MEASUREMENTS

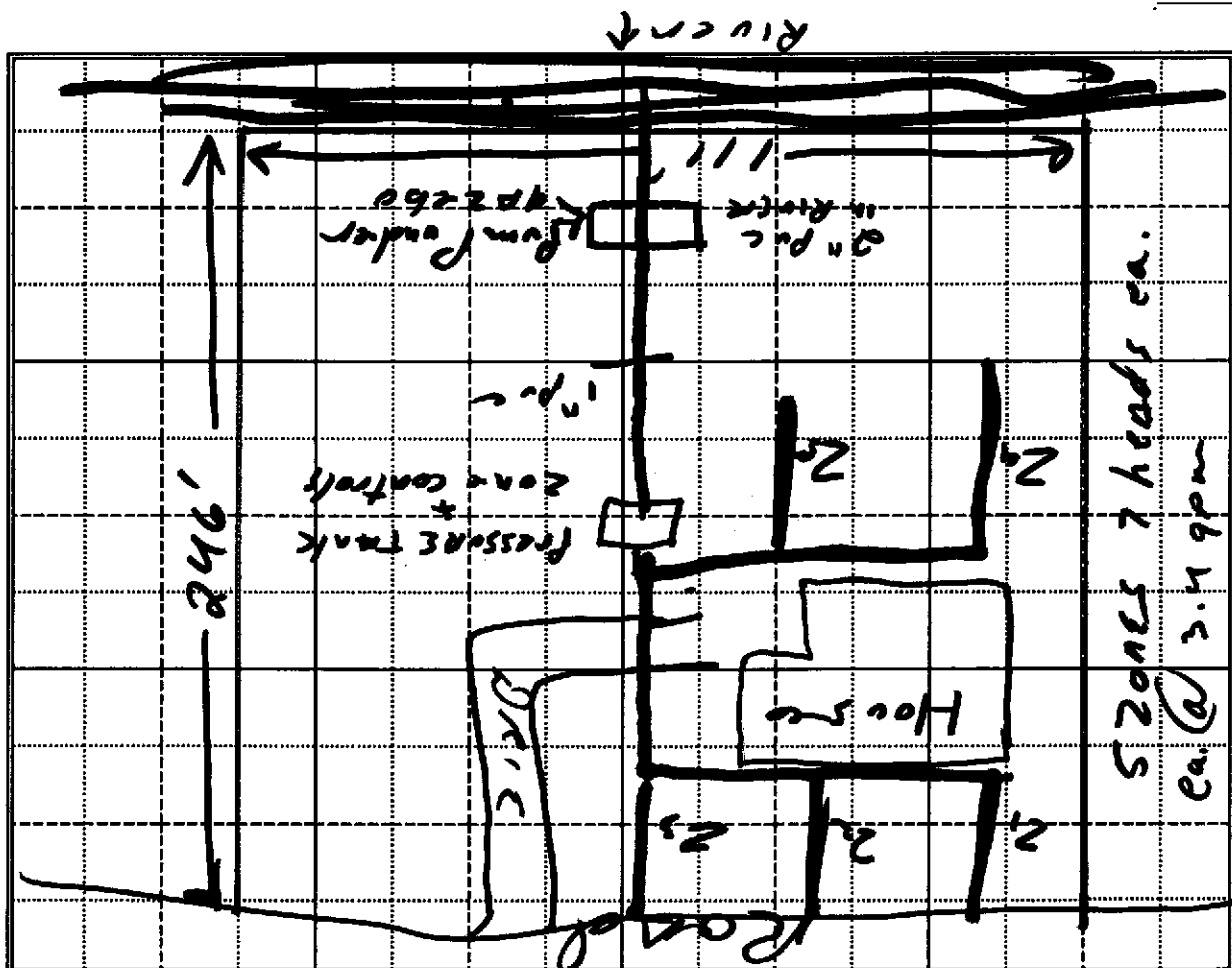
*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Red tracked	2		Red tracked	202.R698

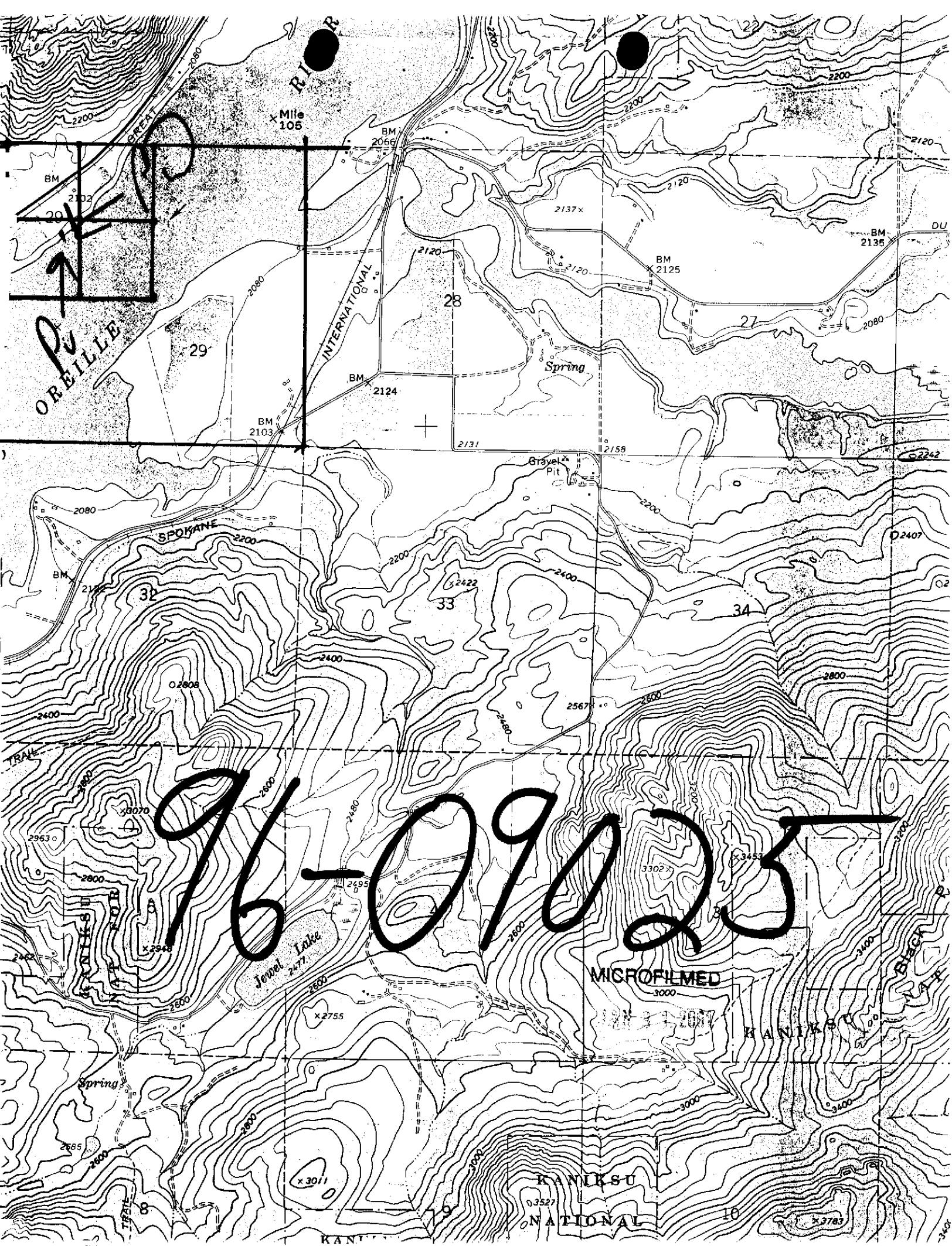
4.

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

Scale: 1" =



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



RIVER

Mile 105

OREILLE

INTERNATIONAL

SPOKANE

96-09025

Jewel Lake

MICROFILMED

KANIKSU NATIONAL

BLACK

PERMIT # 96-09025

96-09025



Pump

Pressure
Tank

Back
&
Front

MICROFILMED

JAN 31 2001

PERMIT # 96-09025

96-09025



Pump

Pressure
Tank

Back
&
Front

MICROFILMED

JAN 31 2001

96-09025



Pump

Pressure Tank

Back
&
Front



ED

ME

E. NARRATIVE/REMARKS/COMMENTS

Heads are auto Pop up type. They require 40 lbs pressure to keep them popped up. Pump can only handle 7 heads or 1 zone at a time

Total lot size 111x246 - house, drive, Gazebo & storage building .5 acres irrigated

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

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JAN 31 2001

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$7 \text{ heads} \times 3.4 \text{ gal} = 23.8 \text{ gpm}$$

$$\frac{23.8 \times 133681}{60} = 105 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .5 \times 3 = 1.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .05 \times 213 \times 1.9835 = 21$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1.5$$

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		
Irrigation	09-01	10-31	.05	1.5
Totals:			.05	1.5

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. AUTHENTICATIONField Examiner's Name Wayne Baldwin Date 6-20-00

Reviewer _____ Date _____

SEAL
MICROFILMED

JUN 30 1981



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

April 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALEXANDER AND BLANKA KOUBICEK
PO BOX 0039
LACLEDE ID 83841

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-09025

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 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 Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

JAN 31 2001

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-09025 Reviewed by D. Ellis Date 4/27/00

GENERAL CONSIDERATIONS

Yes Name same as permit?

Yes Address same as permit?

Yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Irrigation

Correct Uses? _____

SOURCE OF WATER

✓ Surface water source

_____ Ground water source

_____ Drilling permit required?

_____ Copy in the file? Drilling Permit No. _____

_____ Amount paid for permit

_____ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

Yes Required?

\$50 Amount Submitted

Yes Correct?

MEASURING DEVICE

No Required?

_____ Installed?

_____ Waiver requested?

PRIORITY CALCULATION

Date proof received 3/31/00 _____

Date proof due 4/1/2001 - _____

No. of days late _____ = _____

Priority Date _____ + _____

New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address Add Blanka as
permit holder
ok

Proof Made 3/31/00

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0048653

Date:

Time:

3/31/2000

14:49:37

Received

From:

KOUBICEK, ALEXANDER

Program A cct

Amount

BENEFICIAL USE # 96-09025

56104

229 21 1155

50.00

Total

CHECK

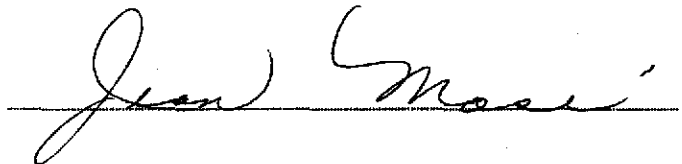
0550

\$

50.00

Region: STATE

Signature:





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 24, 2000

ALEXANDER KOUBICEK
PO BOX 0039
LACLEDE ID 83841

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-09025

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

JAN 31 2001

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of March, 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. 96-09025

ALEXANDER KOUBICEK
PO BOX 0039
LACLEDE ID 83841


Kari Lynn Townsend
Secretary

MICROFILMED
JAN 31 2001

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

JAN 31 2001

RECEIVED

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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 Sharla Curtis on 12/18/99

No. 96-09025 Name: Koubicek Corp. Officers N/A Ad ok ☒ Govt Lots _____

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
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: 3/01/2001

MISC CONDITIONS/REMARKS:

~~Protected~~ - 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 No objections
In/Above MSF - WB9

PLANNING SECTION 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 (2400 gpd - meets domestic definition i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
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 4/1 - 10/31 (Per updated map) CR

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

look for higher rate of div. justification - none in file - per Al B.
system is existing and produces. 0.03 cfs per applicant

**IDA DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

RECEIVED

DEC 9 1999

WRI
WRA
BCA

APPLICATION # 96-09025

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW

APPLICANT: Koubical

BY: B

DATE: 8/17/99

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity RECEIVED
(X) Nature of Proposed Use DEC 9 1999
(X) Period of Use
5. (X) Total Quantity
6. (X) Description of diversion works Resources
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)
- Y Field check: by _____
- Y Field report attached
- Y Analysis Supp. attached(>5cfs/500af)
- Y Water delivered by water master?
- Water District # _____

PROCESSING

- (Yes)(No) PRIORITY DATE: 8/17/99
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

PT/Wed/ok

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:	TAG #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>1</u>		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()
		Dom. Non-Dom.	Paid \$		Y () N ()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

- (Yes)(No)
- Notice of pending void order issued. Final order response date: 9/30/99
- Further information required from applicant
- Affidavit of publication received
- Application published correctly. If not, record action taken: _____
- Publication dates and paper recorded on application 9/20/99 Sr. Agent initial _____
- Protests received, Final protest date: 9/20/99
- Measuring device required
- Measuring port required
- Special conditions:
- Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: _____ Date: _____/_____/_____

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jeannie Sheridan

_____ being first duly sworn on oath
deposes and says that he/she is Bookkeeper

of the Priest River Times, a newspaper printed and
published at Priest River, 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:

Application For water
right

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 1 day of Sept, 1999
and ending on the 8 day of Sept, 1999

and that said notice was published in said newspaper.

On this 2 day of September in the year
of 1999, before me, a Notary Public, personally
appeared Jeannie Sheridan,

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.

FRANKLA S. RUSSELL
Notary Public for Idaho
Residing at 1600
My Commission expires: 5/24/04

RECEIVED

SEP 30 1999

IDWR/North

*ok - 10/19/99
held for
corrected filing -
b*

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-09025

KOUBICEK, ALEXANDER
P O BOX 0039
LA CLEDE, ID 83841
Source: PEND OREILLE RIVER
Diversion Pt: SWNW
Use: IRRIGATION

Tributary: COLUMBIA RIVER
Sec 29 T 56N R 03W in BONNER County.
(0.060 CFS)
(0.060 CFS)

Total Diversion:

Date Filed: 8/17/1999

In: BONNER County

T56N R03W S29

SWNW

1.0 ACRES TOTAL

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

The permit(s) will be subject to all prior water rights. Protests must be filed with
the applicant and with the Director, Dept. of Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a
protest fee of \$25.00 on or before SEPTEMBER 20, 1999.

KARL J. DREHER, Director

PRT Legal 2617
September 1, 8, 1999

MICROFILMED

JAN 31 2001

Memorandum

Date: December 7, 1999

To: File 96-09025

From: Al Beardslee

RE: Surface water approval from Idaho Fish and Game Dept.

~~~~~  
Mr. Chip Corsi, of Idaho Department of Fish and Game, Coeur d'Alene office, was contacted prior to regional approval of this filing. After reviewing the Application for Permit with Mr. Corsi, he had no problem with it's approval.

MICROFILMED

JAN 31 2001

PRIEST RIVER TIMES  
PO BOX 10  
PRIEST RIVER, ID. 83856  
208-448-2431  
208-448-2938fax

ADJUSTED  
Billing  
10/20/99  
ok to pay

BILLING STATEMENT 9/30/99

AGENCY/CLIENT NAME DEPARTMENT OF WATER RESOURCES

TOTAL AMOUNT DUE \$105.42

TERMS OF PAYMENT NET 27<sup>TH</sup>

PAGE # 1

BILLING DATE 9/30/99 BILLED ACCOUNT # 40100140-000

## BILLED ADDRESS

DEPT. OF WATER RESOURCES  
1910 NORTHWEST BLVD. SUITE 210  
COEUR D ALENE, ID 83814

## REMITTANCE ADDRESS

PRIEST RIVER TIMES  
PO BOX 10  
PRIEST RIVER, ID.. 83856

## AD DESCRIPTION

## DISPLAY AD

| AD DATE | Reference #       | Type          | Units | Runs | Rate | Amount  | Total    |
|---------|-------------------|---------------|-------|------|------|---------|----------|
|         | BEGINNING BALANCE |               |       |      |      |         | \$122.34 |
| 9/01/99 | 40509835-001      | LEA           | 1     | 1    | OLR  | \$68.64 | \$68.64  |
|         | #2617 KOUBICEK    |               |       |      |      |         |          |
| 9/01/99 | 40510014-001      | AFFIDAVIT FEE |       |      |      | \$3.00  | \$3.00   |
| 9/01/99 | 40509837-001      | LEA           | 1     | 1    | OLR  |         |          |
| \$0.00  |                   |               |       |      |      |         |          |
|         | #2618 BLESSING    |               |       |      |      |         |          |
| 9/08/99 | #2617 KOUBICEK    |               |       |      |      |         | \$0.00   |
| 9/08/99 | #2618 BLESSING    |               |       |      |      |         | \$0.00   |
| 9/10/99 | PAYMENT           |               |       |      |      |         | -\$89.06 |
| 9/30/99 | SERVICE FEES      |               |       |      |      |         | \$0.50   |

TOTAL AMOUNT DUE

\$105.42

PAST DUE \$33.28

Past due accounts are subject to finance charges of 1 1/2% per month, which is an annual percentage of 18%, applied to the previous balance.

MICROFILMED

JAN 31 2001

Priest River Times  
P.O. Box 10  
Priest River, ID 83856  
Phone: (208) 448-2431

|                    |           |                         |            |              |
|--------------------|-----------|-------------------------|------------|--------------|
| Statement          |           | Agency/Client Name      |            |              |
| 09/30/99           |           | DEPT OF WATER RESOURCES |            |              |
| Total Amount Due   |           | Terms of Payment        |            |              |
| 177.06             |           | net 15th                |            |              |
| Current Amount Due | 1-30 Days | 31-60 Days              | 61-90 Days | Over 90 Days |
| 143.78             | 33.28     | 0.00                    | 0.00       | 0.00         |

**ADVERTISING  
INVOICE/STATEMENT**

|                                                                                      |              |                  |                                                             |  |
|--------------------------------------------------------------------------------------|--------------|------------------|-------------------------------------------------------------|--|
| Page #                                                                               | Billing Date | Billed Account # | Agency/Client Number                                        |  |
| 1                                                                                    | 09/30/99     | 40100140-000     |                                                             |  |
| Billed Account Name & Address                                                        |              |                  | Remittance Address                                          |  |
| DEPT OF WATER RESOURCES<br>1910 NORTHWEST BLVE. SUITE 210<br>COEUR D ALENE, ID 83814 |              |                  | Priest River Times<br>P.O. Box 10<br>Priest River, ID 83856 |  |

**RECEIVED**  
**OCT - 7 1999**  
**IDWR/North**

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

| Date     | Reference #  | Description-Other Comments/Charges                       | Type | Units   | Runs | Rate | Amount | Total  |
|----------|--------------|----------------------------------------------------------|------|---------|------|------|--------|--------|
| 09/01/99 | 40509835-001 | Beginning Balance                                        |      |         |      |      | 122.34 | 122.34 |
|          |              | LEGAL #2617 KOUBICEK                                     | DIS  | 6.00 in | 1    | UL   | 68.64  | 190.98 |
|          |              | Affidivit                                                |      |         |      |      | 3.00   | 193.98 |
| 09/01/99 | 40509837-001 | LEGAL # 2618 BLESSING                                    | DIS  | 6.00 in | 1    | UL   | 68.64  | 262.62 |
|          |              | Affidivit <i>Should be No charge - see adjusted bill</i> |      |         |      |      | 3.00   | 265.62 |
| 09/08/99 | 40510014-001 | 2617 KOUBICEK                                            | DIS  | 6.00 in | 1    | UL   | 0.00   | 265.62 |
| 09/08/99 | 40510016-001 | 2618 BLESSING                                            | DIS  | 6.00 in | 1    | UL   | 0.00   | 265.62 |
| 09/10/99 | 40508142-001 | Payment                                                  | PAY  |         |      |      | 89.06  | 176.56 |
| 09/30/99 | SVC51454-000 | Service Charges October 99                               |      |         |      |      | 0.50   | 177.06 |
|          |              |                                                          |      |         |      |      | 193.98 |        |
|          |              |                                                          |      |         |      |      | 89.06  |        |
|          |              |                                                          |      |         |      |      | 104.92 |        |
|          |              |                                                          |      |         |      |      | 1.50   |        |
|          |              |                                                          |      |         |      |      | 105.42 |        |

*Adjusted bill  
to follow per  
Jeannie Sheridan  
Bookkeeper at Times  
10/19/99*

**RECEIVED**  
**OCT - 7 1999**  
**IDWR/North**

*10/20/99  
all adjusted bill*

|                                                             |                  |                      |            |                                                                                                                                              |                    |  |  |  |
|-------------------------------------------------------------|------------------|----------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------|--------------------|--|--|--|
| Statement of Account Aging of Past Due Amounts              |                  |                      |            |                                                                                                                                              |                    |  |  |  |
| Current Amount Due                                          | 1-30 Days        | 31-60 Days           | 61-90 Days | Over 90 Days                                                                                                                                 | Total Amount Due   |  |  |  |
| 143.78                                                      | 33.28            | 0.00                 | 0.00       | 0.00                                                                                                                                         | 177.06<br>105.42   |  |  |  |
| Priest River Times<br>P.O. Box 10<br>Priest River, ID 83856 |                  |                      |            | Past due accounts are subject to finance charges of 1 1/2% per month, which is an annual percentage of 18%, applied to the previous balance. |                    |  |  |  |
| Advertiser Information                                      |                  |                      |            |                                                                                                                                              |                    |  |  |  |
| Statement Date                                              | Billed Account # | Agency/Client Number |            |                                                                                                                                              | Agency/Client Name |  |  |  |
| 09/30/99                                                    | 40100140-000     |                      |            |                                                                                                                                              |                    |  |  |  |

**MICROFILMED**  
**JAN 31 2001**

Memorandum

Date: 08/27/1999

TO: 96-09025

FROM: Beardslee

RE: Approval Condition

---

A condition should be placed on the approved permit that the Department/Director shall retain the authority to require a water measurement device be installed on the diverting works at such time it is deemed necessary.

MICROFILMED

JAN 31 2001

96-09025

KOUBICEK, ALEXANDER  
PO BOX 0039  
LA CLEDE, ID 83841

Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: SWNW Sec 29 T 56N R 03W in BONNER County.

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

Date Filed: 8/17/1999

In: BONNER County  
T56N R03W S29 SWNW

1.0 ACRES TOTAL

MICROFILMED

JAN 31 2001

August 25, 1999

Alexander Koubicek  
PO Box 0039  
La Clede ID 83841

Re: Water Appropriation Application No. 96-09025

Dear Mr. Koubicek::

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 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