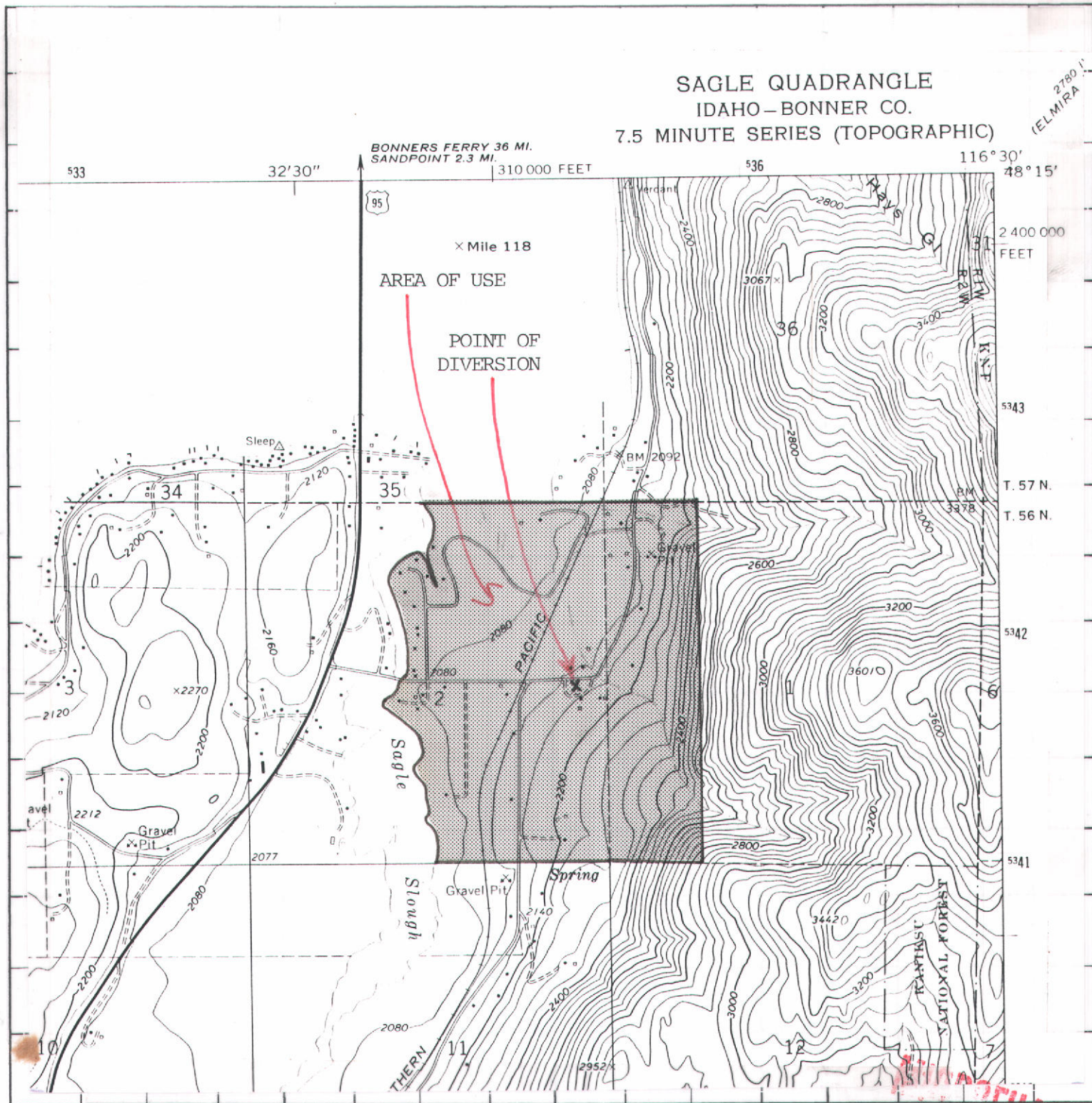


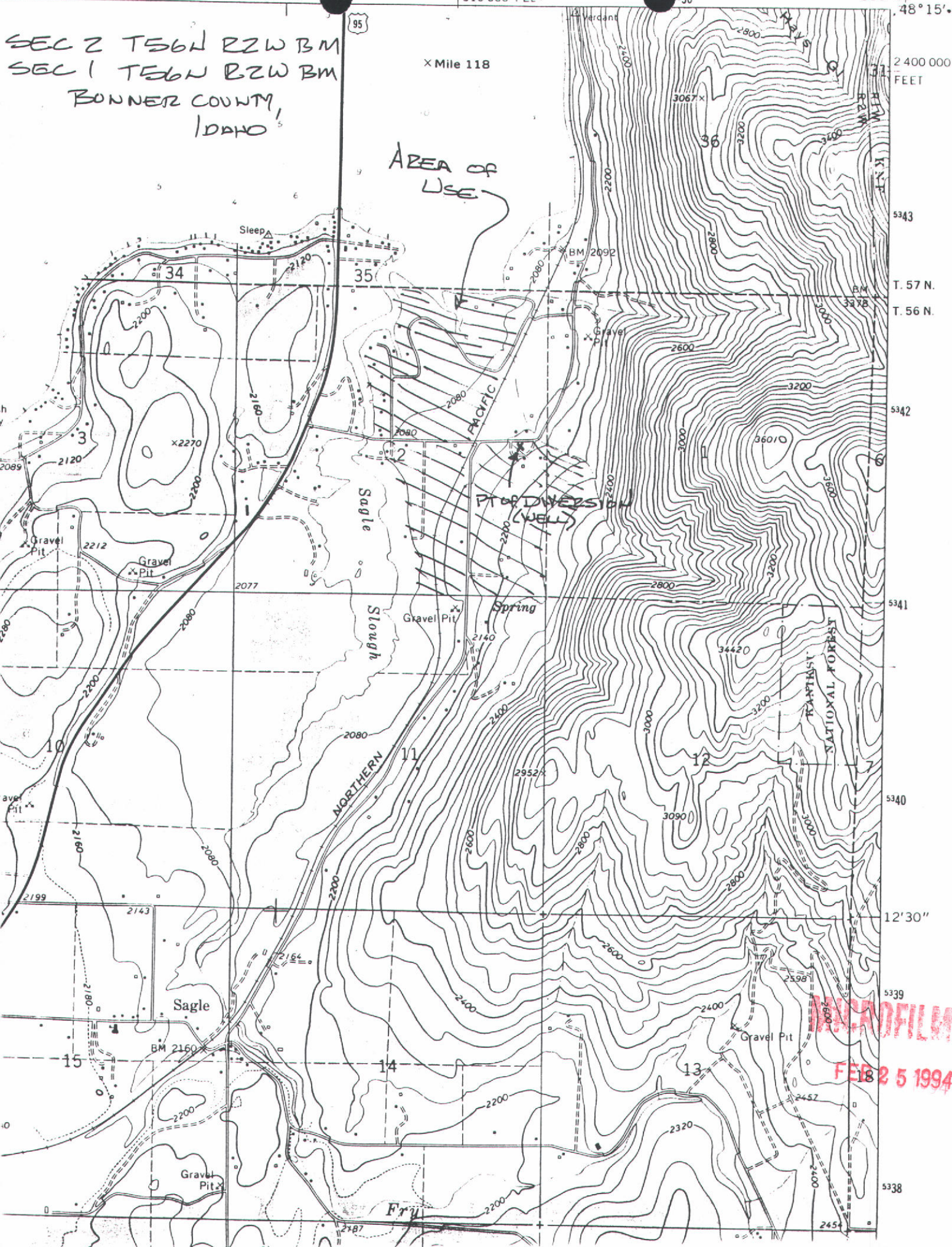
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



SEC 2 T56N R2W BM
SEC 1 T56N R2W BM
BONNER COUNTY,
IDAHO

X Mile 118

AREA OF
USE



RECEIVED

NOV 26 1997

NORTHERN REGION
IDWR

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY
Amt. of Fee \$: 100.00
Receipt No. N011753
Receipt By: cb
Date Received: 12/22/97

RECEIVED

JAN 22 1998

PROOF OF BENEFICIAL USE

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

1. Permit No. 96-08777 Telephone No. 208-263-4148

2. Name(s) of Permit Holder(s): MOUNTAIN SPRINGS WATER CORPORATION

3. Mailing Address: P.O. Box 33 SANDPOINT, ID 83864

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. MAR / yr. 1992

a. Well Driller: KARL PITS Drilling Permit Number: 96-92-10-55

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

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

Irrigation (No. of acres): 515 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 1.0 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 <u>✓</u>
	Has the measuring device been installed?	Yes _____ or No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>✓</u>
	Has the measurement port been installed?	Yes _____ or No <u>✓</u>

8. Fee Enclosed: \$ 100 (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: Gerald H. Lewis Telephone Number: 208 263 4148

Address: P.O. Box 33 SANDPOINT, ID 83864

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Gerald H. Lewis President Date: 11/24/97
(include your title, if on behalf of company or organization)

APR 22 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 96-08777

Proposed Priority: October 21, 1993 Maximum Diversion Rate: 1.58 CFS

This is to certify, that GERALD H LEWIS
PATRICIA LEWIS
PO BOX 33

SANDPOINT ID 83864-0033

has applied for a permit to appropriate water from: GROUNDWATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	1.00 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.58 CFS
Totals		1.58 CFS

LOCATION OF POINT(S) OF DIVERSION: NENESE , Sec. 2, Township 56N, Range 02W
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	02W	1	NWNW 40	SWNW 40	NWSW 40	
			SWSW 40			160
		2	NENE 40	NWNE 38	SWNE 40	
			SENE 40	NENW 7	SENE 14	
			NESW 13	SESW 3	NESE 40	
			NWSE 40	SWSE 40	SESE 40	355

Total number of acres irrigated: 515

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
56N	02W	2	NENE	SENE	NESE
			SESE		

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
56N	02W	1	NWNW	SWNW	NWSW
			SWSW		
		2	NENE	NWNE	SWNE
			SENE	NENW	SENE
			NESW	SESW	NESE
			NWSE	SWSE	SESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1998.
2. Subject to all prior water rights.

FEB 25 1994

RECORDED

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

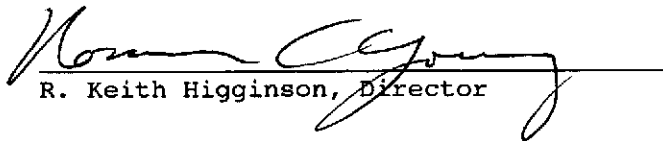
NO. 96-08777

CONDITIONS/REMARKS:

3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Three diversion points are located within the NENESE, S02, T56N, R02W.
7. Domestic use is for 135 homes.
8. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
9. Stockwater use is for 6 horses and 12 range cattle.

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

28TH day of DECEMBER, 1993.


R. Keith Higginson, Director

RECORDED
FEB 25 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 96-8777

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

1. Name of applicant Dr. Gerald H. & Patricia Lewis Phone 208-263-4148
Post office address P.O. Box 33, Sandpoint, ID 83864

2. Source of water supply well which is a tributary of N/A

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 2 Township 56N Range 2W B.M. Bonner County; additional
points of diversion if any: none

4. Water will be used for the following purposes:

Amount .58cfs for domestic use purposes from 1/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.00cfs for irr/stockwater purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for STOCKWATER purposes from Y1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1.58 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 3 wells (2 existing, 1 future) which will pump to a 76,000 gallon concrete reservoir and thence to the distribution system for residential use, crop and lawn irrigation and stock watering.

b. Height of storage dam no dam; 16' res. feet; active reservoir capacity 60-76,000 gal. ~~acre-feet~~; total reservoir capacity 76,000 gal. ~~acre-feet~~; period of year when water will be diverted to storage: 1/01 to 12/31 inclusive.

c. Proposed well diameter is 8" inches; proposed depth of well is 120 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? 5/93; Drilling firm Carl Pitts & Sons

Well was drilled for (well owner) Dr. Gerald Lewis

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 4 years years (minimum 1 year).

RECEIVED
FEB 25 1994

a. Hydropower; show total feet of head and proposed capacity in KW.	
b. Stockwatering; list number and kind of livestock.	6 horses, 12 cattle
c. Municipal; show name of municipality.	N/A
d. Domestic; show number of households.	135 single family residences
e. Other; describe fully.	1) residential fire protection 2) residential lawn irrigation
	3) pasture and cropland irrigation

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

[illegible]

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

b. Who owns the land to be irrigated or place of use? Dr. Gerald Lewis - Individual lot Owners

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: This is being sought to supply an additional 135 residences to those of

Permit No. 96-08667. This water will be used for the following purposes: domestic, farming, stockwater and fire protection.

1984 5 2 1984

FEB 25 1994

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by 65 Date 10/21/93 Time 4:20

Fee \$ 65 Received by DL # N-6557 Date 10/21/93

Publication prepared by [Signature] Date 10/27/93 Published in 11/4+11/93

Publication approved [Signature] Date 10/7/93

Preliminary check by 63 Date 10/21/93

February 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAR 09 1998

Gerald and Patricia Lewis
PO Box 33
Sandpoint ID 83864-0033

PROOF ACKNOWLEDGMENT LETTER

Department of Water Resources

RE: PERMIT NO. 96-08777

Dear Permit Holder:

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

You indicated on the proof statement that a flow measurement port had not been installed. Condition No. 4 of your water right permit requires that a port be installed to facilitate the measurement of water. You must comply with this requirement before the field examination, or you can request, in writing, for the department to waive the condition.

Please 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 in Coeur d'Alene, at (208)769-1450.

Sincerely,

Julie L. Yarbrough
JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

I have a flow meter on the system, I can tell you exactly what I am using
c: IDWR - Region

UNRECORDED

APR 2 1998

G & P Lewis

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 96-08777 Reviewed by [Signature] Date 2-25-98

GENERAL CONSIDERATIONS

TYPES OF USE

NO Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

Irr.

Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

yes Drilling permit required?

NO Copy in the file?

200. Amount paid for permit

NO Well log in the file?

Drilling Permit No. 96-92-11-0055-000

yes Correct?

LICENSE EXAMINATION FEE

yes Required?

100- Amount Submitted

yes Correct?

MEASURING DEVICE

~~yes~~ Required?

NO Installed?

NO Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Advise of flow port requirement
Proof acceptable

DATA ENTRY

New Address [Crossed out] Proof Made 11-26-97



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

February 26, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Gerald and Patricia Lewis
PO Box 33
Sandpoint ID 83864-0033

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 96-08777

Dear Permit Holder:

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

You indicated on the proof statement that a flow measurement port had not been installed. Condition No. 4 of your water right permit requires that a port be installed to facilitate the measurement of water. You must comply with this requirement before the field examination, or you can request, in writing, for the department to waive the condition.

Please 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 in Coeur d'Alene, at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Region

RECORDED

APR 28 1998

October 31, 1997

GERALD H LEWIS
PATRICIA LEWIS
PO BOX 33
SANDPOINT ID 838640033

PROOF DUE NOTICE

RE: PERMIT NO. 96-08777

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 January 1, 1998. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

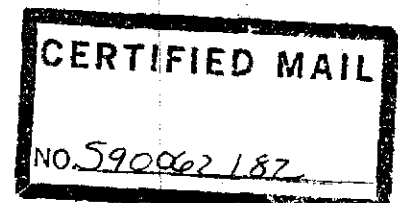
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

ENCLOSURE

APR 28 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 29, 1993

GERALD H LEWIS
PATRICIA LEWIS
PO BOX 33
SANDPOINT ID 838640033

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 96-08777

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

MP

REC'D

FEB 25 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 96-8777 Date: 12/20/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes _____
SYSTEM COMPLETED:
No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - NA
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit: 3/16/93; 8"x109'
Included w/permit - Permit No. 96-93-N-0006-000, P99
Existing well - N/A (if drilled before 7/1/87)
~~No WD permit?~~ - ~~046-46A-Irr-46B-P23~~ (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>
LOCATION:
Water District - WD No. _____
Surface water - 005 (req) 01J-P08 <flow chart>
(doesn't sink) or 01H-P01 <flow chart>; NMR
Groundwater - P05 (if well has not been drilled)
In stream channel - 030 (stream channel alteration)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - B <See condition code chart>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use), NA
Payette (65) - 064 (consump. use), 047-P04 (Payette Lake), NA
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA
USE:
Fish Propagation - 010/06A/09E-P10 (WQ) & 07A-042 (req)
044 (N 1000 Spr)
Irrigation - 803 (if GW use SW 1st) (W5A do POU comp.), NA
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Mining - 06A/010/09E-P10 & 054 (req)
Storage (✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' dam), NA
Domestic (surface) - 021 (Boise R ↑ L Peak), 27A (Payette R), NA
OWNERSHIP:
Non land owner - 004 (P/D or P/U)
PROTESTED:
Prehearing agreement - 020
OTHER CONDITIONS: - 057
REMARKS: - ① W01 (135) ② W04 ③ W02 (12 RC, 6 H)

BENEFICIAL USE DUE: - 1-1-1998
COMMENTS: - ① Div Desc.

WR0749NP
No. P96-08777

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/20/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GERALD H LEWIS	10/21/1993	IRRIGATION	03-15 11-15	1.00 CFS	
C	PATRICIA LEWIS		STOCKWATER	01-01 12-31	0.02 CFS	
	PO BOX 33		DOMESTIC	01-01 12-31	0.58 CFS	
	SANDPOINT ID 838640033					
	(208) 263-4148					
				TOTAL DIVERSION:	1.58 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T56N R02W S02 NE NE SE

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
56N	02W	1	:									40	40			40	40			160.0
56N	02W	2	:	40		38		40		40		07				13		03		355.0
																			TOTAL ACRES	515.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
56N	02W	2	:	S				S								S			S	

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	Lt	Ac	
56N	02W	1	:							D	D			D	D					
56N	02W	2	:	D		D		D				D		D		D		D		

Pou County: BONNER

Other Water Rights with Same Point(s) of Diversion and Source:
96-08777

Other Water Rights Listing Overlapping Place(s) of use:

96-02097 96-04249 96-04464 96-04509 96-07922 96-08145 96-08299 96-08450 96-08559 96-08667
96-08777

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
01G - Prior to the diversion of water under this right a flow

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

Conditions of Approval:

- measurement port or other device as specified by the Department
- shall be installed to provide for the installation of measuring
- equipment and the determination of the rate of diversion by the
- Department.
- 057 - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed
- 0.03 cubic feet per second for each acre of land.

Remarks: Three diversion points are located within the NENESE, S02, T56N,
R02W.

Domestic use is for 135 homes.

The domestic use authorized under this permit shall not exceed
13,000 gallons per day per dwelling in accordance with
Section 42-111, Idaho Code.

Stockwater use is for 6 horses and 12 range cattle.

Dates: App. Received: 10/21/1993 Priority Date: 10/21/1993
Proof Due Date: 01/01/1998 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/26/1993 User-ID: STYPA Subject: DIVERSION DESCRIPTION
3 wells pump to 76,000 gal. concrete reservoir then to distri-
bution system.
Well diameter is 8", 120 feet deep; drilling permit #96-93-N-6.
76,000 gal. reservoir that is 16 ft. deep.
Well drilled 5/93 by Carl Pitts & Sons for Dr. Gerald Lewis.
This water right is in addition to 96-8667.

Audit: 12/20/93 ZIMMERMA

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM																									
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE																											
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac																										
9608777	T56N R02W S 1	GROUNDWATER																																																									
	:																													:	40	40	:	40	40	:													:	160									
	:																													:	X	X	:	X	X	:													:										
	NO MATCHES FOR THIS POU IN AJ-POU																																																										
9608559	UNNAMED ST :																													:	06																									:	6		
	NO MAPPING INFO AVAILABLE																																																										
9608777	T56N R02W S 2	GROUNDWATER																																																									
	:	40	38	40	40	:	07													14	:	13													03	:	40	40	40	40	:	355																	
	:	X	X	X	X	:	X													X	:	X													X	:	X	X	X	X	:																		
	NO MATCHES FOR THIS POU IN AJ-POU																																																										
9602097	SPRING CRE :																													:													:	06													:	6	
9602198	PEND OREIL :																													:	01													:													:	1	
9602282	SPRING :																													:	02													:													:	2	
9604249	PEND OREIL :	04																												:													:													:	4		
9604464	FRY CREEK :																													:	15													:													:	15	
9604509	GROUNDWATE :																													:	01													:													:	1	
9607922	GROUNDWATE :																													:	01													:													:	1	
9608145	UNNAMED ST :	04																												:													:													:	4		
9608299	GROUNDWATE :																													:													:	01													:	1	
9608336	PEND OREIL :																													:	02-03													:													:	3	
9608337	GROUNDWATE :																													:	02-03													:													:	3	
9608450	GROUNDWATE :																													:													:	02	02													:	4
9608667	GROUNDWATE :	20	30	35	15	:													:													:	100																										
	NO MAPPING INFO AVAILABLE																																																										

No. a
4/87-06/92n

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
DEC 17 1993

APPLICATION # _____

Department of Water Resources

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

APPLICANT: LEWIS BY: AB DATE: 10 / 21 / 93

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, recpt, acknowledgment)

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

ADDITIONAL INFORMATION

Yes No

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

PROCESSING

Yes No

PRIORITY DATE: 10 / 21 / 93

 (Include Moratorium Remark)

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

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 *****

(Yes) (No)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

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

(Yes) (No)

- Notice of pending void order issued. Final order response date: ____/____/____
 Further information required from applicant
 Affidavit of publication received
 Application published correctly, If not, record action taken: _____
 Publication dates and paper recorded on application | Sr. Agent initial AB
 Protests received. Final protest date: 11/22/93
 Measuring device required
 Measuring port required
 Special conditions: _____
 Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: AB RMA Date: 12/8/93

96-08777

LEWIS, GERALD H
LEWIS, PATRICIA
PO BOX 33
SANDPOINT, ID 83864

Source: GROUNDWATER

Diversion Pt: NENESE Sec 2 T 56N R 02W in BONNER County.

Use: IRRIGATION (1.000 CFS)
STOCKWATER (.020 CFS)
DOMESTIC (.580 CFS)
Total Diversion: (1.580 CFS)

Date Filed: 10/21/1993

In: BONNER County
T56N R02W S01
S02

NWNW
NENE
NENW
NESE

SWNW
NWNE
SENW
NWSE

NWSW
SWNE
NESW
SWSE

SWSW
SENE
SESW
SESE

515.0 ACRES TOTAL

RECORDED

FEB 25 1994

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Jean Conacher 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:

Notice of Application for Water Right

as it was published in the regular and entire issue of the said paper for a period of 2 days consecutive weeks, commencing on 4 day of Nov., 1993 and ending on the 11 day of Nov., 1993

and that said notice was published in said newspaper.

On this 3 day of Dec. in the year of 1993, before me, a Notary Public, personally appeared Jean Conacher,

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.

Karel Meeler
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 5-3-99

NOTICE OF APPLICATION FOR WATER RIGHT

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

96-08776

AMERICAN TRUST CO OF HAWAII INC
TRUSTEE FOR H WILLIAM GOEBERT

684 KAIMALINO BLVD
KAILUA, HI 96734

Source: PEND OREILLE LAKE
Tributary: PEND OREILLE RIVER

Diversion Pt: NWSW Sec 4 T 57N R 01W in BONNER County.

Use: IRRIGATION (.060 CFS)

Total Diversion: (.060 CFS)

Date Filed: 10/21/1993

In: BONNER County

T57N R01W S04 SENW NESW NWSW

1.5 ACRES TOTAL

96-08777

LEWIS, GERALD H

LEWIS, PATRICIA

PO BOX 33

SANDPOINT, ID 83864

Source: GROUNDWATER

Diversion Pt: NENESE Sec 2 T 56N R 02W in BONNER County.

Use: IRRIGATION (1.000 CFS)

STOCKWATER (.020 CFS)

DOMESTIC (.580 CFS)

Total Diversion (1.580 CFS)

CFS)

Date Filed: 10/21/1993

In: BONNER County

T56N R02W S01 NWNW SWNW NWSW SWSW

S02 NENE NWNE SWNE SENE

NENW SENW NESW SESW

NESE NWSE SWSE SESE

515.0 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 on or before NOVEMBER 22, 1993.

R. KEITH HIGGINSON, Director
SNP#5768 Nov 4, 11, 1993

RECEIVED

DEC 06 1993

NORTHERN REGION
IDWR

UNRECORDED

FEB 25 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

~~TELEPHONE FAX (208) 769-1454~~

Fax (208) 769-1454

CECIL D. ANDRUS

October 27, 1993

R. KEITH HIGGINSON

Director

Dr. and Mrs. Gerald H. Lewis
P.O. Box 33
Sandpoint, Id. 83864

Dear Dr. and Mrs. Lewis:

Re: Water Appropriation Application No. 96-8777.

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

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

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

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

RECEIVED

FEB 25 1994

October 20, 1993

Dr. Gerald H. Lewis
P.O. Box 33
Sandpoint, ID 83864

RE: Application for Permit

Dear Dr. Lewis:

Please find the enclosed Application for Permit which was submitted by Mr. Meigs, of Welch Engineering, on your behalf.

As we discussed on the phone, this filing is not acceptable at this time. I had a phone conversation with Mr. Meigs, October 7, 1993, and I described what was necessary to make this application acceptable. Again, I called Mr. Meigs, October 20, 1993, and left a message with his secretary that we were returning this Application for Permit to you.

We will be happy to process this Application for Permit when the uses and number of acres of irrigation have been located within the proper 40 acre tracts.

If I can be of further assistance, please contact me at this office.

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Permit and Receipt.

RECEIVED
FEB 25 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Dr. Gerald H. & Patricia Lewis Phone (208) 263-4148
Post office address P.O. Box 33 Sandpoint, Idaho 83864
2. Source of water supply Well which is a tributary of N/A
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 2 Township 56N Range 2W B.M. Bonner County; additional
points of diversion if any: None
4. Water will be used for the following purposes:
- Amount .58 cfs for Domestic Use purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1.00 cfs for Irr/Stockwater purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 1.58 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 3 Wells (2 existing, 1 future) which will pump to a 76,000 gallon concrete reservoir and thence to the distribution system for residential use, crop and lawn irrigation and stock watering.
- b. Height of storage dam No dam; 16' Res. feet; active reservoir capacity 60-76,000 gallons acre-feet; total reservoir capacity 76,000 gallons acre-feet; period of year when water will be diverted to storage:
1/01 to 12/31 inclusive.
- c. Proposed well diameter is 8" inches; proposed depth of well is 120 feet
- d. Is ground water with a temperature of greater than 85°F being sought? no
- e. If well is already drilled, when? 5/93; Drilling firm Carl Pitts & Sons;
Well was drilled for (well owner) Dr. Gerry Lewis
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
4 years years (minimum 1 year).

RECORDED

FEB 25 1994

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 6 horses, 12 cattle
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. 135 Single Family Residences
- e. Other; describe fully. 1- Residential Fire Protection 2-Residential Lawn Irrigation
3- Pasture and Cropland Irrigation

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>56N</u>	<u>02W</u>	<u>2</u>	<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>									<u>D</u>	<u>D</u>	<u>D</u>	<u>D</u>	
<u>56N</u>	<u>02W</u>	<u>1</u>										<u>30</u>							<u>30</u>

Total number of acres to be irrigated 30

10. Describe any other water rights used for the same purposes as described above. 96-08667

11. a. Who owns the property at the point of diversion? Dr. Gerald Lewis
- b. Who owns the land to be irrigated or place of use? Dr. Gerald Lewis - Individual Lot Owners
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

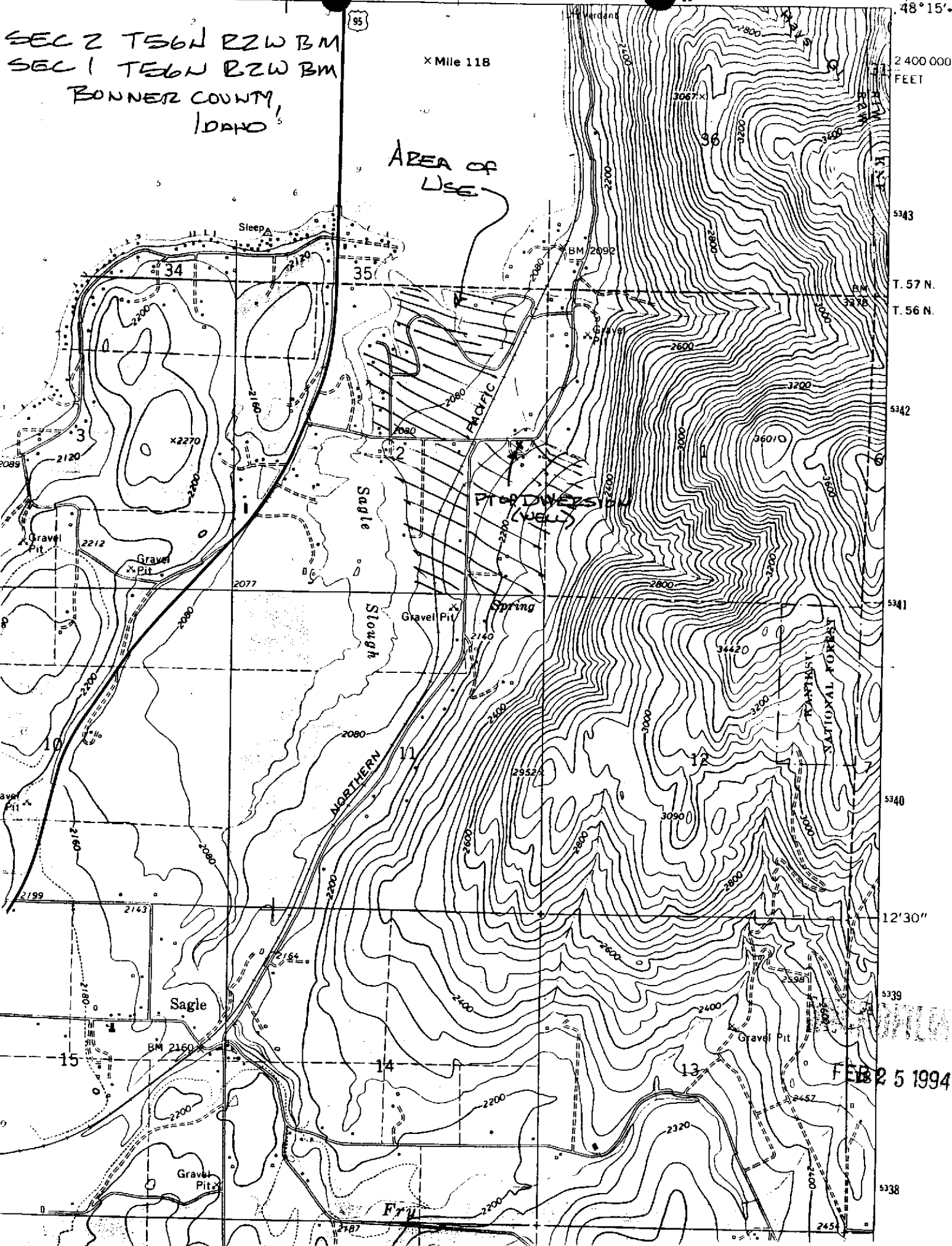
12. Remarks: This is being sought to supply an additional
135 Residences to those of Permit 96-08667 - This
WILL BE USED for the following purposes: Domestic, Farming,
Stockwater and fire protection

FEB 25 1994

SEC 2 T56N R2W BM
SEC 1 T56N R2W BM
BONNER COUNTY,
IDAHO

X Mile 118

AREA OF
USE



FEB 25 1994

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

[illegible]

Scale: 2 inches equal 1 mile.

FEB 25 1994

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

Dr. GERRY LEWIS / L. Mcicos
(Applicant) Welch Engineering

Received by DL Date 10/6/93 Time 3:45 Preliminary check by AB
Fee \$ 65.00 Received by _____ # N-6557 Date 5/21/93
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

RECORDED
FEB 25 1994

7/20/93

Mr. Gerald Lewis
P.O. Box 33
Sandpoint, ID 83864

RE: Application for Permit.

Dear Sir:

We are returning your Application for Permit along with Receipt Number N006557 for the amount of \$65.00.

As we discussed on the phone, Your Application for Permit is not acceptable at this time. Please review the following items.

ITEM NUMBER 3. (POINT OF DIVERSION)

The legal description for the point of diversion must be listed to the nearest 40-acre tract (for example: NE1/4 SW1/4) Section, Township and Range as established by the Public Land Survey. The Point of Diversion description should reflect the same location as marked on the map.

ITEM NUMBER 9. (PLACE OF USE)

This item must be completed by listing the location of all proposed water uses to the nearest 40 acre tract. This may be done by following these steps: First insert Township (Twp.) Ranges (Rge.), Sections (Sec); next, identify each use and location of that use within the section by placing the indicated symbol in the appropriate box as shown below.

STOCKWATER = S; DOMESTIC = D; COOLING = L; FISH PROPAGATION = H;
RECREATION = R; COMMERCIAL = C; FIRE PROTECTION = F; INDUSTRIAL = I;
MINING = X; AESTHETICS = J; GROUNDWATER RECHARGE = E; WILDLIFE = W;
HEATING = G; MUNICIPAL = M; POWER = P;
IRRIGATION = (NUMBER OF ACRES TO BE IRRIGATED IN EACH 40 ACRE TRACT);

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	3	S	D	L	I	20	10	6										36

This example shows that within Township 50 North, Range 4 West, Section 3, there is Stockwater use in the NE1/4 NE1/4; Domestic use in the NW1/4 NE1/4; Cooling (L) in the SW1/4 NE1/4; Industrial in the SE1/4 NE1/4; and irrigation of 20 acres in the NE1/4 NW1/4, 10 acres in the NW1/4 NW1/4 and 6 acres in the SW1/4 NW1/4, for a total of 36 irrigated acres.

MICROFILMED

FEB 25 1994

Mr. Lewis
Page two.
July 20, 1993

I have included a map to help you determine legal descriptions. If you need assistance determining legal description, I may be able to do so upon your request, if the required information is on the map.

If I can be of further assistance, please contact me at this office.

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Permit and Receipt.

RECEIVED
FEB 25 1994