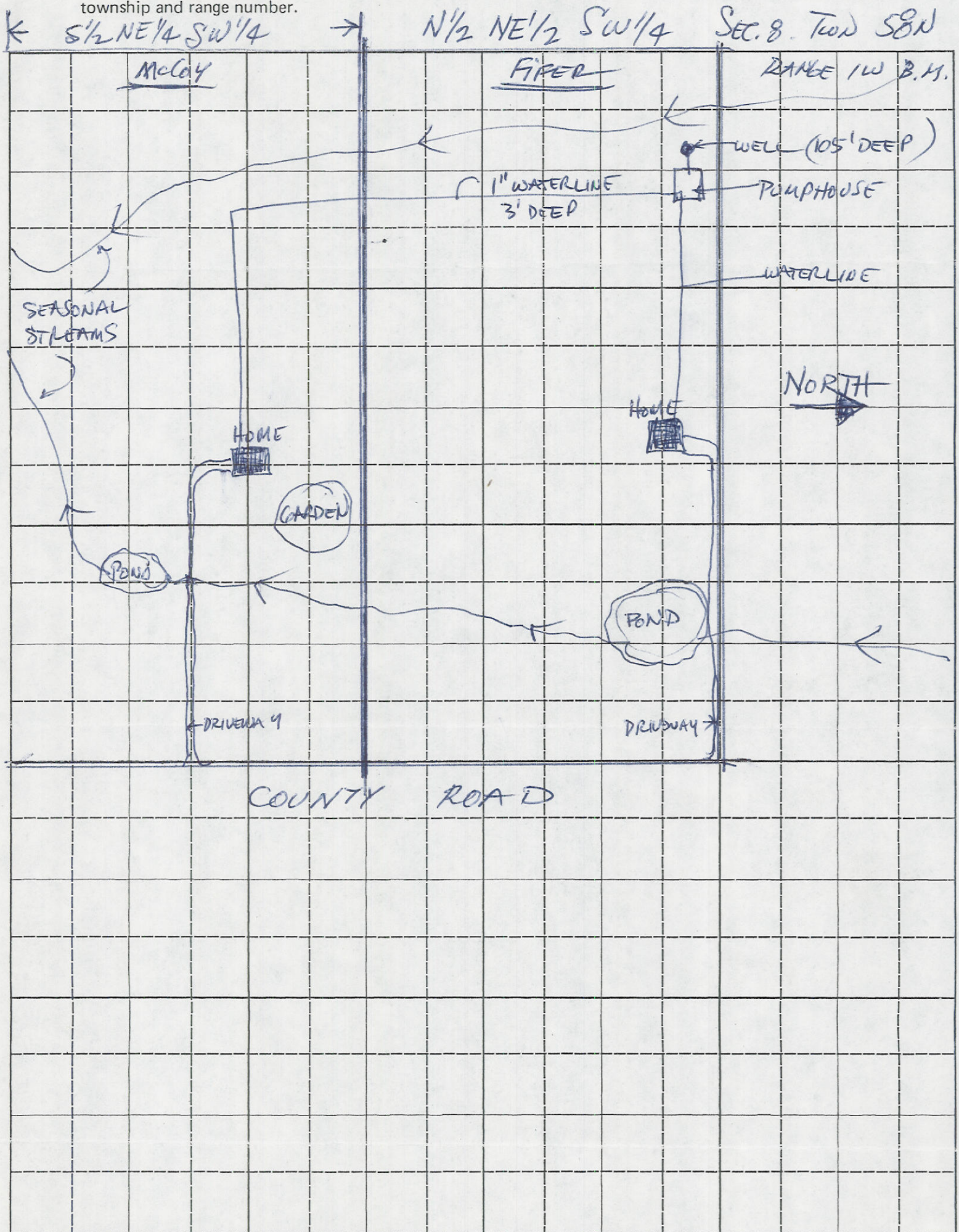


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

ABOVE MAP depicts NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho.

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.

Brian E. McCoy
 BRIAN E. MCCOY (Applicant)
Valerie P. McCoy
 VALERIE P. MCCOY

Dag Grudem
GRUDEM, VERBY & ELSAESSER
Attorneys at Law
202 South First Avenue
Sandpoint, Idaho 83864

WATER USE AGREEMENT

OWNER:

JOHN BROPHY
Route 1, Box 181
Samuels, Idaho 83862

CO-OWNER:

BRIAN MCCOY and VALERIE MCCOY
Route 1, Box 181-A
Samuels, Idaho 83862

REAL PROPERTY:

Parcel A:

The North Half of the Northeast Quarter of
the Southwest Quarter, Section 8, Township
58 North, Range 1 West, Boise Meridian,
Bonner County, Idaho.

Parcel B:

The South Half of the Northeast Quarter of
the Southwest Quarter of Section 8, Township
58 North, Range 1 West, Boise Meridian,
Bonner County, Idaho.

John Brophy and Brian McCoy and Valerie McCoy, in considera-
tion of the following amendments to the Water Use Agreement between
them as Owner and User dated August 3, 1978, hereby agree to amend
the same to read as follows:

1. Owner: John Brophy, hereinafter Owner, owns Parcel A
described above on which is situate a water well.
2. Co-Owner: Brian McCoy and Valerie McCoy, hereinafter
Co-Owner, own adjacent property, Parcel B described above, and
desire a supply of domestic and culinary water.
3. Purpose: Owner and Co-Owner hereby agree, for valuable
consideration, that Co-Owner is granted a supply of water suffi-
cient for domestic and culinary use subject to the limitations of
this Agreement.

RECEIVED

4. Term. The term of this Agreement shall be for a time perpetual and infinite.

5. Restrictions. It is mutually agreed that the Owner has priority of use of water from subject well, owned by him, located on his property. In the event that the supply of water in said well is deemed insufficient to supply water to both Owner and Co-Owner, Co-Owner's rights to water shall cease until such time as there is sufficient water for both Owner and Co-Owner. Co-Owner's use of said water is restricted to use for the following purposes:

a. domestic and culinary (non-irrigation) use for Co-Owner's household and Red Robin School.

b. domestic garden irrigation of Co-Owner's property; Co-Owner will install holding tanks on Co-Owner's property at expense of the same.

6. Cost and Maintenance. Cost of repair and maintenance on said water pump and well operation is to be shared equally between Owner and Co-Owner with the following exceptions:

a. Co-Owner is responsible for maintenance and repair to water line of Co-Owner.

b. In the event that aforescribed property or fences upon the same is disturbed or otherwise damages or laid to waste, Co-Owner shall be responsible for repair of said land and fences;

c. Co-Owner will remit to Owner a monthly payment of five (\$5.00) dollars for the first five (5) years to cover cost of power necessary to operate pump. Thereafter the monthly charge of five (\$5.00) dollars shall be renegotiated.

7. Entry. Co-Owner is hereby granted an easement for the express purpose of entry upon Parcel A to install or maintain the pump, well electrical system and the water line.

8. Binding Effect. During the term hereof, this Agreement shall be binding on both the Owner and Co-Owner, their heirs, successors and assigns.

DATED this 11 day of September, 1980.

OWNER:

JOHN BROPHY

CO-OWNER:

BRIAN MCCOY

VALERIE MCCOY

WATER USE AGREEMENT -3-

MICROFILMED

STATE OF IDAHO)
) ss.
County of Bonner)

On this 12 day of September, 1980, before me the undersigned, a Notary Public in and for Idaho, personally appeared JOHN BROPHY, Owner herein, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate last above written.

Notary Public in and for Idaho
Residing at: Boise, Idaho

STATE OF IDAHO)
) ss.
County of Bonner)

On this 12 day of September, 1980, before me the undersigned, a Notary Public in and for Idaho, personally appeared BRIAN McCOY and VALERIE McCOY, Co-Owners herein, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate last above written.

Notary Public in and for Idaho
Residing at: Boise, Idaho

WATER USE AGREEMENT -4-

MICROFILMED

96-8142



DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 96-8142

Name(s) of Permit Holder: BRIAN E. & VALERIE P. MCCOY

Post Office Address: 9700 CENTER VALLEY RD.

SANDPOINT, IDAHO 83864 Tel. No. 263-5385

Source of Water: 150' DEEP WELL

Extent of Use: ☒ Domestic 2 (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 1 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

2-7-84
Date

Brian E. McCoy
Signature of Permit Holder

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-8142 Priority February 14, 1983 Amount 0.02 cfs

THIS IS TO CERTIFY, that Brian E. McCoy & Valerie P. McCoy
of Sandpoint, Idaho, has complied with the terms and conditions of Permit
No. 96-8142 issued pursuant to Application for Permit dated February 14, 1983,
and has submitted proof to the Department of Water Resources on February 10, 1984,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.02 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.02</u> cfs and	<u>1.2</u> acre feet
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>0.01</u> cfs and	<u>3.0</u> acre feet
	from _____ to _____ at _____ cfs and		
(both dates inclusive)			

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8,
Twp 58N, Rge 1W in the County of Bonner

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
58N	1W	8									1								1

Total number of acres irrigated 1

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30TH day of JULY, 19 84.



Acting for the Director

Norman C Young

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho **APPROVED**

1. Name of applicant Brian E. McCoy and Valerie P. McCoy Phone (208) 263-5385

Post office address Route One, Box 181A, Samuels, Idaho 83862

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 58N

Range 1W B.M. Bonner County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .01 cfs for irrigation purposes from Apr. 1 to Oct. 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:

a. .02 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 220 V. submersible pump @ 100 feet,
to pressure tank in pump house, then 1 inch plastic pipe 3 feet deep, about 1/8
mile to house.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 58N
Range 1W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

If water is to be used for other purposes describe: Only for domestic and irrigation
purposes for one household (irrigation for family garden) and possibly pre-
school for small children (see paragraph 5 a & b of Water Use Agreement attached)

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
58N	1W	8									1								1

Total number of acres to be irrigated 1

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

9. a. Who owns the property at the point of diversion Carl R. Fifer and Pauline M. Fifer
- b. Who owns the land to be irrigated or place of use applicant Brian E. McCoy and Valerie P. McCoy
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Water Use Agreement dated 9/12/80 between Brian and Valerie McCoy and John Brophy, previous owner of property at point of diversion and predecessor in title of Carl and Pauline Fifer. Copy of Water Use Agreement as recorded is attached.

10. Remarks

Note: Mailing address of owner of property at point of diversion, per their recorded deed, is:

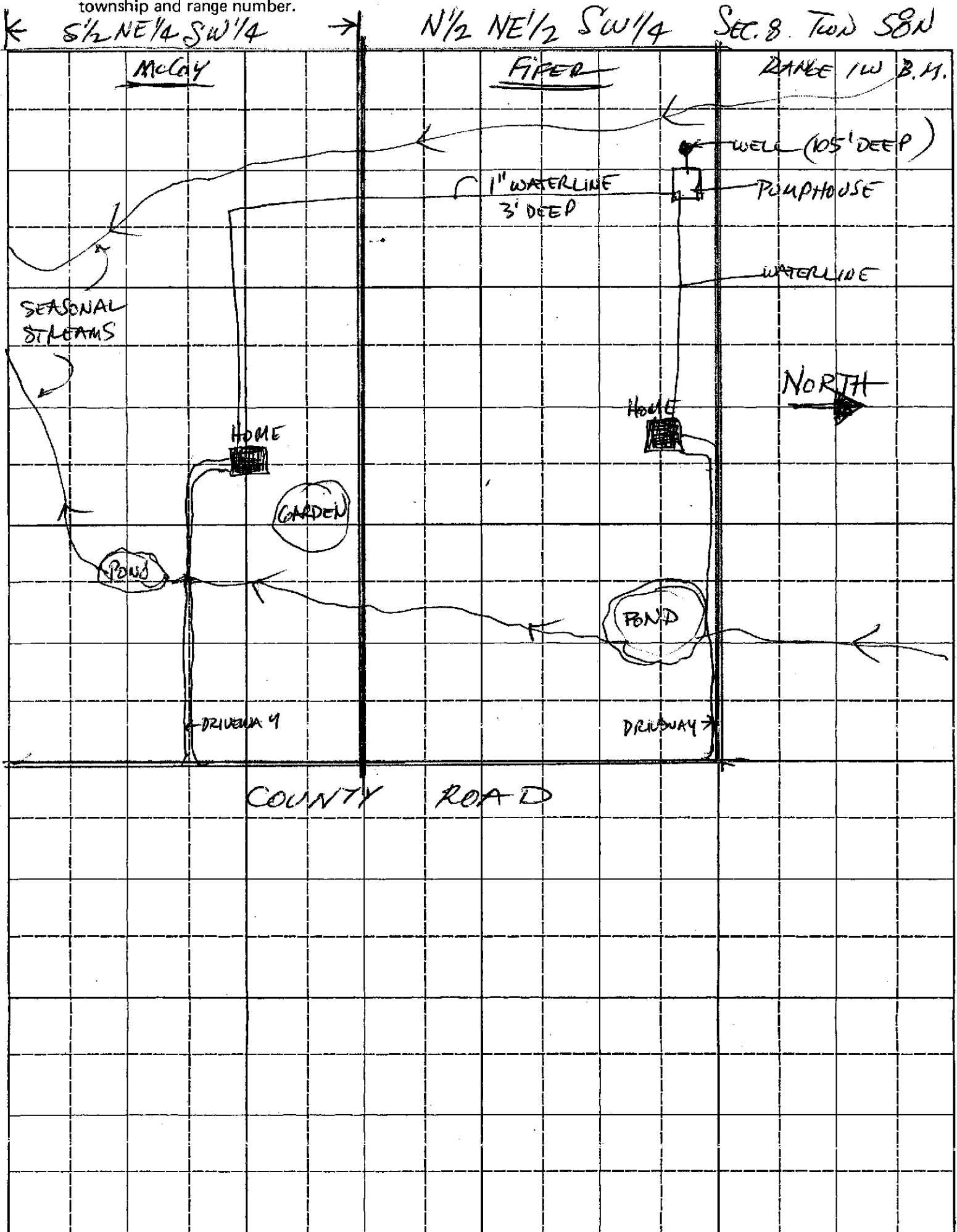
Carl R. Fifer and Pauline M. Fifer

P. O. Box 1183

Sandpoint, Idaho 83864

MINN
COUNTY
IDAHO

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



Scale: 2 inches equal 1 mile.

ABOVE MAP depicts NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8, Township 58 North, Range 1 West, Boise Meridian, Bonner County, Idaho.

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

Brian E. McCoy
 BRIAN E. MCCOY (Applicant)
Valerie P. McCoy
 VALERIE P. MCCOY

Proposed Priority 2/14/1983

Received by ABM Date 2/14/83 Time 12:25 PM

Preliminary check by AB Fee \$ 30.00

Receipted by mm Date 2/14/83 (24885)

Publication prepared by mm Date 2/16/83

Published in Sandpoint Bee

Publication dates 2/23 - 3/2/83

Publication approved mm Date 3/14/83

Protests filed by: mm

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by Reg A RC

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. 96-8142, and said application is hereby APPROVED.

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 April 1, 19 84.
- 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. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 23rd day of March, 1983.

L. Glen Sayton
Chief, Operations Bureau

APPROVED

Dag Grudem
GRUDEM, VERBY & ELSAESSER
Attorneys at Law
202 South First Avenue
Sandpoint, Idaho 83864

WATER USE AGREEMENT

OWNER: JOHN BROPHY
Route 1, Box 181
Samuels, Idaho 83862

CO-OWNER: BRIAN MCCOY and VALERIE MCCOY
Route 1, Box 181-A
Samuels, Idaho 83862

REAL PROPERTY: Parcel A:
The North Half of the Northeast Quarter of
the Southwest Quarter, Section 8, Township
58 North, Range 1 West, Boise Meridian,
Bonner County, Idaho.
Parcel B:
The South Half of the Northeast Quarter of
the Southwest Quarter of Section 8, Township
58 North, Range 1 West, Boise Meridian,
Bonner County, Idaho.

John Brophy and Brian McCoy and Valerie McCoy, in considera-
tion of the following amendments to the Water Use Agreement between
them as Owner and User dated August 3, 1978, hereby agree to amend
the same to read as follows:

1. Owner: John Brophy, hereinafter Owner, owns Parcel A
described above on which is situate a water well.
2. Co-Owner: Brian McCoy and Valerie McCoy, hereinafter
Co-Owner, own adjacent property, Parcel B described above, and
desire a supply of domestic and culinary water.
3. Purpose: Owner and Co-Owner hereby agree, for valuable
consideration, that Co-Owner is granted a supply of water suffi-
cient for domestic and culinary use subject to the limitations of
this Agreement.

4. Term. The term of this Agreement shall be for a time perpetual and infinite.

5. Restrictions. It is mutually agreed that the Owner has priority of use of water from subject well owned by him, located on his property. In the event that the supply of water in said well is deemed insufficient to supply water to both Owner and Co-Owner, Co-Owner's rights to water shall cease until such time as there is sufficient water for both Owner and Co-Owner. Co-Owner's use of said water is restricted to use for the following purposes:

a. domestic and culinary (non-irrigation) use for Co-Owner's household and Red Robin School;

b. domestic garden irrigation on Co-Owner's property; Co-Owner will install holding tanks on Co-Owner's property at expense of the same.

6. Cost and Maintenance. Cost of repair and maintenance on said water pump and well operation is to be shared equally between Owner and Co-Owner with the following exceptions:

a. Co-Owner is responsible for maintenance and repair to water line of Co-Owner;

b. In the event that aforescribed property or fences upon the same is disturbed or otherwise damaged or laid to waste, Co-Owner shall be responsible for repair of said land and fences;

c. Co-Owner will remit to Owner a monthly payment of five (\$5.00) dollars for the first five (5) years to cover cost of power necessary to operate pump. Thereafter the monthly charge of five (\$5.00) dollars shall be renegotiated.

7. Entry. Co-Owner is hereby granted an easement for the express purpose of entry upon Parcel A to install or maintain the pump, well electrical system and the water line.

8. Binding Effect. During the term hereof this Agreement shall be binding on both the Owner and co-owner, their heirs, successors and assigns.

DATED this 17 day of September, 1980.

OWNER:

JOHN BROPHY

OWNER:

BREAN MCCOY

GERIE MCCOY

STATE OF IDAHO)
County of Bonner)

On this ____ day of September, 1980, before me, the undersigned, a Notary Public in and for Idaho, personally appeared JOHN BROPHY, Owner herein, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate last above written.

Notary Public in and for Idaho
Residing at: _____

STATE OF IDAHO)
County of Bonner)

On this ____ day of September, 1980, before me, the undersigned, a Notary Public in and for Idaho, personally appeared BRIAN McCOY and VALERIE McCOY, Co-Owners herein, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate last above written.

Notary Public in and for Idaho
Residing at: _____

WATER USE AGREEMENT -4-

NOTARY PUBLIC

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have 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 _____

Legal notice

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 23 day of 2, 1983 and ending on the 2 day of 3, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 3 day of Mar, 1983.

Adelle M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF
APPLICATION FOR
WATER RIGHT

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

96-8139

SHOSHONE SILVER MINING CO.

P.O. BOX 2011, COEUR D'ALENE, ID 83814

Source: UNNAMED STREAM trib. to GOLD CREEK

GOLD CREEK trib. to PEND OREILLE LAKE

Date Filed: 02/10/1983

Diversion Pt: SESW NWNW Sec 23 T 53N R 01W

Use: INDUSTRIAL (0.10 CFS)

DOMESTIC (0.06 CFS)

In: NENE Sec 22 T 53N R 01W

96-8142

MC COY, BRIAN E. &/or VALERIE P.

RT. 1 BOX 181A, SAMUELS, ID 83862

Source: GROUNDWATER

Date Filed: 02/14/1983

Diversion Pt: NESW Sec 08 T 58N R 01W

Use: IRRIGATION (0.01 CFS)

DOMESTIC (0.02 CFS)

In: NESW Sec 08 T 58N R 01W FOR 1 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before MARCH 14, 1983.

KENNETH DUNN

Director

Published Feb. 23, March 2, 1983

Dept. of Water Resources



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

June 2, 1986

Mr. Brian McCoy
9700 Center Valley Rd.
Sandpoint, Id. 83864

Re: 96-8142

Dear Mr. McCoy:

I have reviewed your water rights file, which indicates that you have a valid "Statutory" water right. I am afraid, however, that use of Mr. Fifer's well is strictly within the confines of civil authority.

The only suggestion I could make concerning your problem is to attempt to reach an amicable understanding with Mr. Fifer or seek legal advice from your attorney.

If we can be of any other assistance, please contact me at this office.

Sincerely,

131
TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office - w/enc.

MICROFILMED

RECEIVED
MAY 27 1986
Department of Water Resources
Northern District Office

For
response

L.C. DO NOT SWIM
PC- 84563

IV D

1986

RECEIVED

MAY 28 1986

Department of Water Resources

5/18/86

Water Resources

R. SAXTON,

I'M WRITING YOU IN REGARDS TO OUR
WATER RIGHTS AGREEMENT WHICH WAS APPROVED
ON 3/14/83, # 96-8142.

IT SEEMS, ALL OF A SUDDEN, THAT THE
PIPER'S WANT US OFF "THEIR" WELL.
THEY HAVE RESORTED TO GETTING A
LAWYER & THREATENING US. THEY
EVEN TURNED THE WATER OFF ONE
SUNDAY MORNING & DEMANDED \$50
TO TURN IT BACK ON. THEY
DEMANDED \$20 A MONTH INSTEAD OF
THE \$5 A MONTH WE WERE PAYING.
SO WE HAD NO CHOICE BUT TO PAY.
IN OUR ORIGINAL WATER RIGHTS AGREEMENT,
IT WAS STATED THAT IN 5 YEARS
THE MONTHLY FEE WOULD BE RENEGOT-
IATED. THERE WAS NO NEGOTIATION, THERE
WAS EXTORTION.

MR. PIPER TOLD MY WIFE HE PLANS
TO BULLDOZE & BURY THE WELL THIS
SUMMER TO GET US OFF IT & PLANS
ON hooking up to COLBURN CITY WATER,
& EXPECTS US TO DO THE SAME.

WE REALLY LIKE OUR WATER &
DON'T HAVE THE MONEY TO OR THE
DESIRE TO hook up to COLBURN WATER.
IT IS PLAGUED WITH GIARDIA.

WE FEEL VICTIMIZED & WONDER
WHAT TO DO.

WE DON'T HAVE ANY MORE MONEY
TO SPEND ON LAWYERS WHO DON'T
SEEM TO DO ANYTHING BUT SEND
LETTERS BACK & FORTH & TAKE
OUR MONEY.

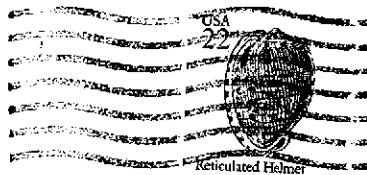
DO YOU HAVE ANY SUGGESTIONS
OR CAN YOU TELL US OUR LEGAL STANDING
IN THIS CASE?

IF YOU NEED COPIES OF ORIGINAL
WATER RIGHTS & DOCUMENTS PLEASE LET
US KNOW. THANK YOU.

Brian McCoy
9700 CENTER VALLEY RD.
SANDPOINT, ID. 83860

208-263-5555

McCoy
9700 CENTER VALLEY RD.
SANDPOINT, ID. 83864



L. GLEN SEXTON
CHIEF, OPERATIONS BUREAU
DEPT. OF WATER RESOURCES
STATEHOUSE
BOISE, ID. 83720

August 1, 1984

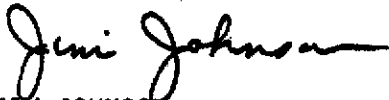
RE: Permit No. 96-8142

Brian E. M/or Valerie P. McCoy
9700 Center Valley Rd.
Sandpoint, ID 83864

Dear Mr. and Mrs. McCoy:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED
JUN 28 1984

96-8142
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

0.02 cfs/household 0.02 cfs X 1 = 0.02 cfs
* estimated-

- b) Volume Calculations for Irrigation: 3.0 recommended

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3 = 3 \text{ Af} \checkmark$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.02 \times 245 \times 1.9835 = 7.85$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.0 \text{ Af/ann} \checkmark$ $0.01 \times 245 \times 1.9835 = 4.9 \text{ Af}$

- c) Volume Calculations for Other Uses:

1.2 AF/ann/household 1.2 X 1 = 1.2 AF/ann

2. Overlap Review

- a) Other water rights with same place of use: none
- b) Other water rights with same point of diversion: use right Carl Fifer
- c) Analysis:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECOMMENDED AMOUNTS

License

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	96-8142	2/14/83	0.02	2/14/83	2/7/84	0.02 cfs

4. Permit Holder: ~~Brian E and Valerie P. McCoy~~ ²⁻¹⁰⁻¹⁹⁸⁴ Brian E. McCoy & Valerie P. McCoy
 Address: 9700 Center Valley Road, Sandpoint, ID 83864

5. Source: Groundwater tributary to

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	Jan 1 Dec 31	0.02	1.2 AF
Irrigation	3/15 11/15	0.01	3.0 AF

Allowable Maximums: 0.02 4.2 AF

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			NE	SW	8	58N	1W	Banner

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
58N	1W	8									1								1
																	</		

Total Acres 1

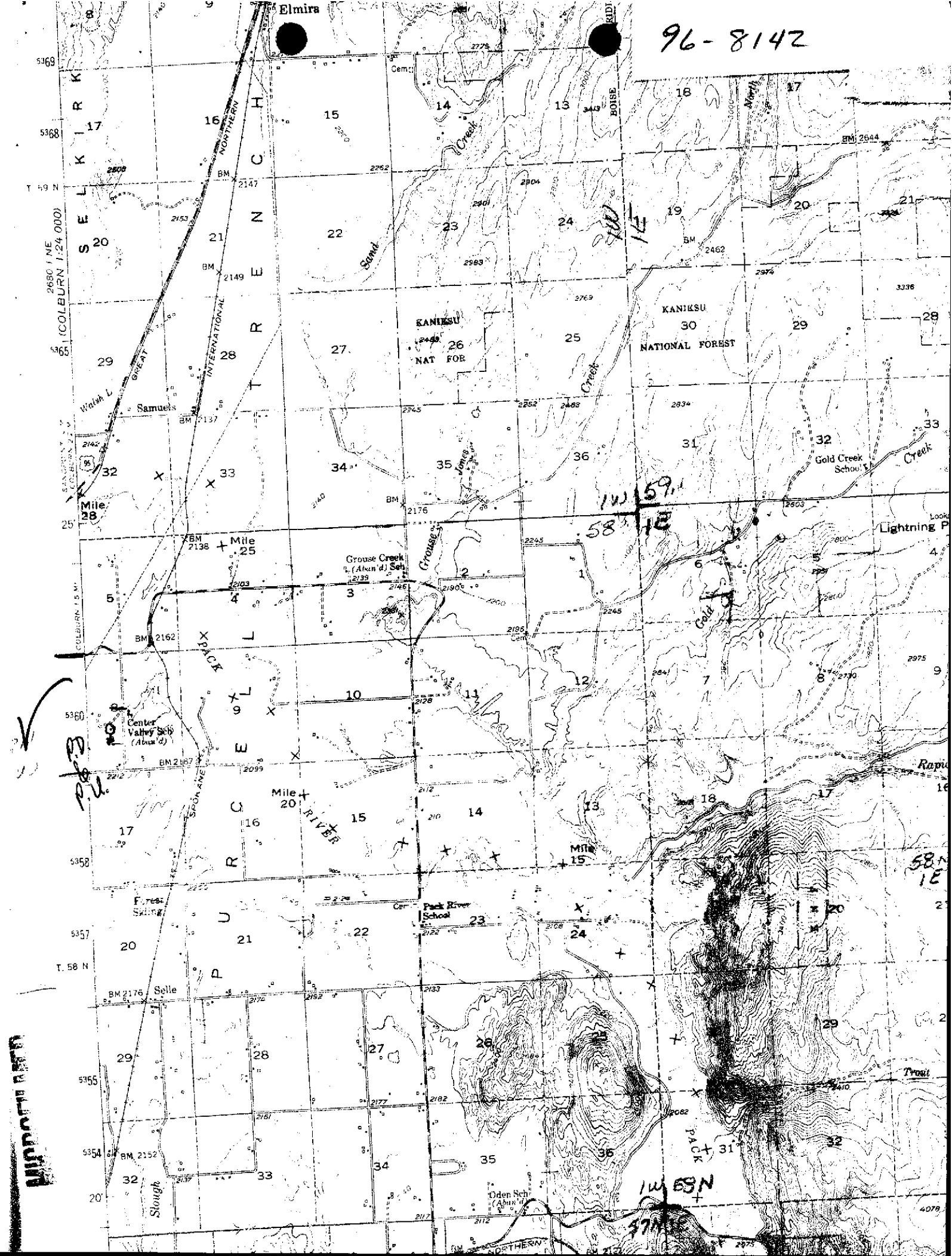
9. Recommended Conditions/Remarks:

10. 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

11. Examiner's Signature [Signature] Date 6/21/84
 Checked in Regional Office by Bob Haynes Date 6/22/84
 Approved in State Office by Kay Walker Date 7-23-84

96-8142



UNCLASSIFIED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

1. Owner: Brian E. & Valerie P. McCoy Permit No. 96-8142
Current Address: 9700 CENTER VALLEY RD, SANDPOINT, ID 83864 Phone No. _____

2. Accompanied by: _____ EXAM. DATE: 6/8/84
Address: _____ Phone No. _____
Relationship to Permit Holder: _____

3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	<i>Submersible</i>				

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
105' well that supplies Brian M. Cox and Carl Fifer well is located on Fifer's property with 600' pipeline to place of use. Water is used for lawn, garden, including fruit trees, and household use.

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

7. Measurements ☐ Additional data/computation sheets attached

~~1~~ acres of irrigation
one household

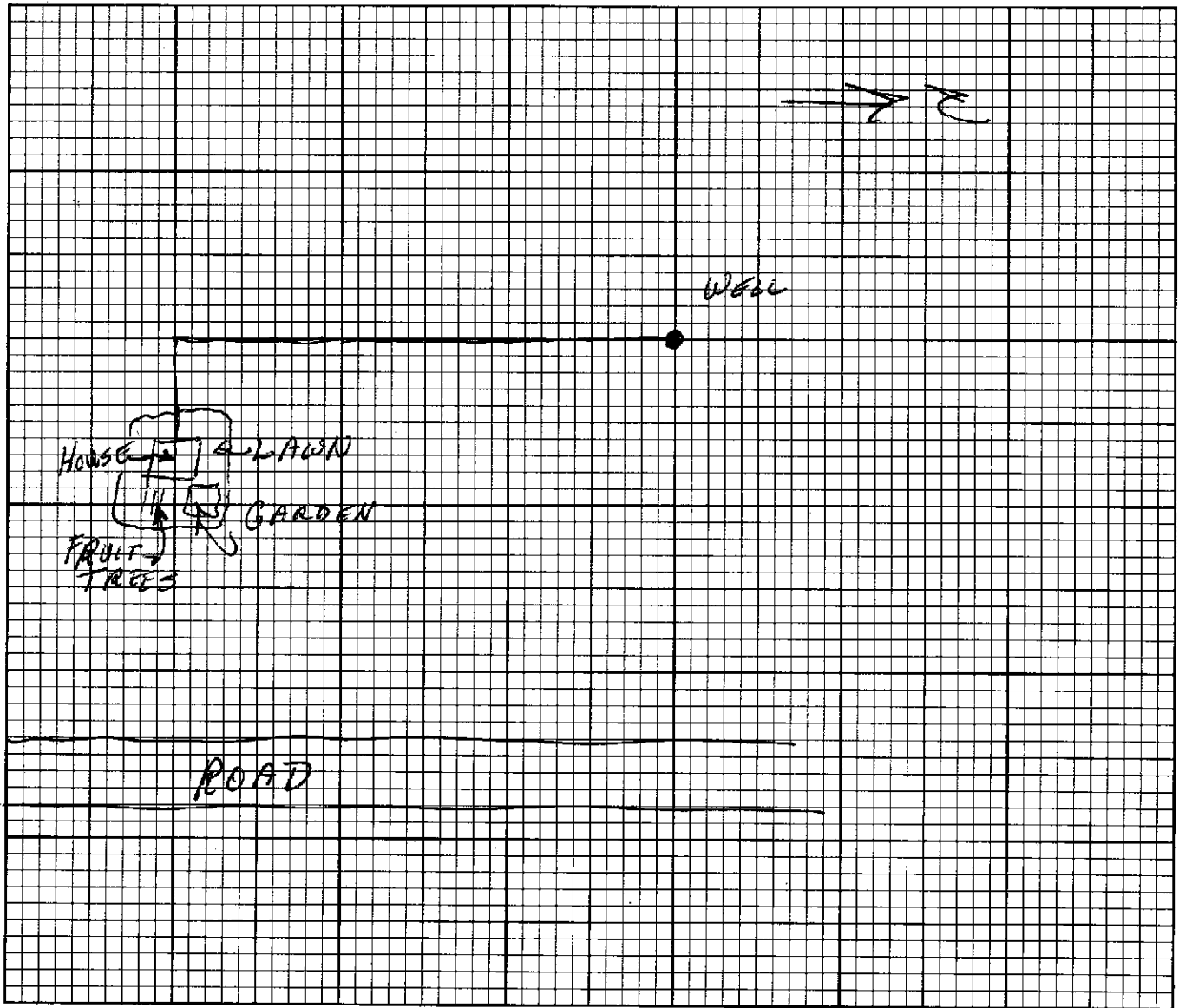
8. Point(s) of Diversion:	Indicate Method of Determination	<i>Estimated</i>
---------------------------	----------------------------------	------------------

[illegible]

9. Place(s) of Use: Irrigation - give acres served by system at time of exam.
Indicate Method of Determination *Estimated*

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
58N	1W	8																	1
Total Acres																			1

10. Other water rights on these lands none
11. Other water right diverted from same p.d. use right for Fifer
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached
14. Remarks _____
15. 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 |
16. Examiner's/Consultant's Signature [Signature] Date 6/21/84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct Beneficial Use Examination _____

Date _____ CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

APRIL 24, 1984

BRIAN & VALERIE MC COY
9700 CENTER VALLEY RD.
SANDPOINT ID 83864

RE: Permit No. 96-8142

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

APR 24 1984

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as an agreement that the permit holder(s) has completed development to the extent shown below of Permit No. 96-8142

Name(s) of Permit Holder: BRIAN E. & VALERIE P. MCCOY

Post Office Address: 9700 CENTER VALLEY RD.

SANDPOINT IDAHO 83864 Tel. No. 263-5385

Source of Water: 150' DEEP WELL

Extent of Use: ☒ Domestic 2 (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 1 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
 Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

2-7-84
 Date

Brian E. McCoy
 Signature of Permit Holder

BRIAN
9700 CENTER VALLEY RD.
SANDPOINT, ID. 83864



RECEIVED

FEB 10 1984



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138455

MC COY, BRIAN E. & VALERIE P.
RT. 1 BOX 181A
SAMUELS, ID 83862

PROOF DUE NOTICE

JANUARY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 96-8142 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
JAN 31 1984

April 27, 1983

Brian E. and Valerie P. McCoy
Rt. 1, Box 181A
Samuels, ID 83862

Dear Mr. and Mrs. McCoy:

Re: Permit No. 96-8142

Enclosed is the Statement of Beneficial Use postcard along with a blank postcard.

I noted the words "possible preschool" on the postcard and I wonder if the project is completed to the point you would want to submit the Statement of Beneficial Use postcard.

The Statement of Beneficial Use postcard is notification to the Department that the proposed project has been completed; whereupon the Department will conduct a field examination of the water distribution system and extent of use and will issue a license based upon the findings of the field examiner. Therefore, if you filed the Statement of Beneficial Use postcard now and a field examination is done, the license will be issued the present findings. If you should decide to add the preschool to the system, you would need to file a new application.

Under this permit, however, the Statement of Beneficial Use postcard is not required to be submitted until April 1, 1984. Prior to that date, the Department will notify you of the need to submit the Statement of Beneficial Use or Request for Extension of Time. Consequently, you have until April 1 to add the preschool, or at that time, you can request an extension of five additional years.

If you wish to submit the Statement of Beneficial Use soon, I've enclosed another for your convenience. If I can be of further assistance, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

S T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MC COY, BRIAN E. & VALERIE P.
RT. 1 BOX 181A
SAMUELS, ID 83862

MARCH 29, 1983

RE: PERMIT NO. 96-8142

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: LB

APPLICATION NUMBER: 96-8742

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 3/14/83
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/8/83
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
2/14/83 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: RAH Date: 3/15/83

STATE OFFICE REVIEW:

- SLW/LVB
☐ See attached sheet for more information.
By: SLW Date: 3/22/83

RECEIVED

MAR 22 1983

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

MC COY, BRIAN E. &/or VALERIE P.

RT. 1 BOX 181A, SAMUELS, ID 83862

Source: GROUNDWATER

Date Filed: 02/14/1983

Diversion Pt: NESW Sec 08 T 58N R 01W

Use: IRRIGATION	(0.01 CFS)
DOMESTIC	(0.02 CFS)

In: NESW Sec 08 T 58N R 01W FOR 1 ACRES

MICROFILMED

SCOTT F. MARICLE

ATTORNEY AT LAW
315 Church Street
Post Office Box 1574
Sandpoint, Idaho 83864
Telephone: (208) 265-4556

February 11, 1983

RECEIVED
FEB 14 1983
Department of Water Resources
Northern District Office

Mr. Tom D. King
Senior Water Resource Agent
Department of Water Resources
4055 Government Way, Suite 1
Coeur d'Alene, Idaho 83814

Re: Application for Permit
by Brian E. McCoy and Valerie P. McCoy

Dear Mr. King:

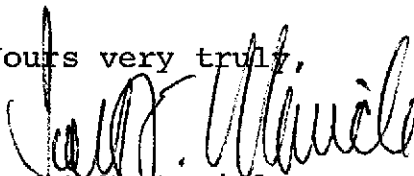
Enclosed are an original and copy of an application for permit to appropriate water by Brian and Valerie McCoy and a check in the amount of \$30.00 for the filing fee.

From our recent telephone conversation, I understand the application will be processed by your office, then sent to Boise and eventually a permit will be issued.

I have also enclosed an additional copy of the face sheet of the application which I would ask that your office simply date-stamp and return to me in the enclosed envelope, just so I know that you have received it.

Again, thank you for all your assistance on this matter.

Yours very truly,


Scott F. Maricle

SFM:lpm
Enclosures

cc: Brian and Valerie McCoy

DEPT. OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
COEUR D'ALENE, IDAHO